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International Convention on
the Elimination
of all Forms of
Racial Discrimination

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION

Fifteenth periodic reports of States parties due in 2001

Note by the Secretary-General

1. Fifteenth periodic reports under article 9, paragraph 1 (b), of the Convention are due in 2001 from 15 States parties. The table below lists the 15 States parties in alphabetical order, the dates on which their fifteenth periodic reports are due, the symbol numbers of the documents containing their initial, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth and fourteenth periodic reports and the summary records of the meetings of the Committee at which such reports were considered.

2. The fifteenth periodic reports of the States parties listed below will be issued in addenda to this document.

GE.01-40645 (E)

States parties	Date on which fifteenth periodic report is due	Documents containing (1) initial, (2) second, (3) third, (4) fourth, (5) fifth, (6) sixth, (7) seventh, (8) eighth, (9) ninth, (10) tenth, (11) eleventh, (12) twelfth, (13) thirteenth and (14) fourteenth periodic reports	Summary records
Algeria	15 March 2001	(1) CERD/C/R.50/Add.9	CERD/C/SR.182
		(2) CERD/C/R.77/Add.13	CERD/C/SR.342-343
		(3) CERD/C/R.98/Add.2	CERD/C/SR.342-343
		(4) CERD/C/48/Add.3	CERD/C/SR.444-445
		(5) CERD/C/75/Add.4	CERD/C/SR.536-537
		(6) CERD/C/106/Add.4	CERD/C/SR.653-654
		(7) CERD/C/131/Add.3	CERD/C/SR.769-770
		(8) CERD/C/158/Add.2 and Add.6	CERD/C/SR.841
		(9) CERD/C/209/Add.4	CERD/C/SR.962-963, 983
		(10) CERD/C/209/Add.4	CERD/C/SR.962-963, 983
		(11) CERD/C/280/Add.3	CERD/C/SR.1216-1217, 1235
		(12) CERD/C/280/Add.3	CERD/C/SR.1216-1217, 1235
		(13) CERD/C/362/Add.6	Pending consideration
		(14) CERD/C/362/Add.6	Pending consideration
Austria	8 June 2001	(1) CERD/C/R.50/Add.6	CERD/C/SR.187-189
		(2) CERD/C/R.77/Add.4	CERD/C/SR.273-274
		(3) CERD/C/19	CERD/C/SR.367-368
		(4) CERD/C/48/Add.6	CERD/C/SR.459
		(5) CERD/C/75/Add.9	CERD/C/SR.560-561
		(6) CERD/C/106/Add.12	CERD/C/SR.704-705
		(7) CERD/C/158/Add.1	CERD/C/SR.837
		(8) CERD/C/158/Add.1	CERD/C/SR.837
		(9) CERD/C/209/Add.3	CERD/C/SR.947, 951
		(10) CERD/C/209/Add.3	CERD/C/SR.947, 951
		(11) CERD/C/319/Add.5	CERD/C/SR.1305, 1306, 1327
		(12) CERD/C/319/Add.5	CERD/C/SR.1305, 1306, 1327
		(13) CERD/C/319/Add.5	CERD/C/SR.1305, 1306, 1327
		(14) CERD/C/362/Add.7	Pending consideration

States parties	Date on which fifteenth periodic report is due	Documents containing (1) initial, (2) second, (3) third, (4) fourth, (5) fifth, (6) sixth, (7) seventh, (8) eighth, (9) ninth, (10) tenth, (11) eleventh, (12) twelfth, (13) thirteenth and (14) fourteenth periodic reports	Summary records
Barbados	8 December 2001	(1) CERD/C/R.50/Add.11	CERD/C/SR.204
		(2) CERD/C/R.77/Add.6	CERD/C/SR.272
		(3) CERD/C/75/Add.7	CERD/C/SR.557
		(4) CERD/C/75/Add.7	CERD/C/SR.557
		(5) CERD/C/75/Add.7	CERD/C/SR.557
		(6) CERD/C/106/Add.13	CERD/C/SR.753-754
		(7) CERD/C/131/Add.13	CERD/C/SR.890
		(8) Not yet received	-
		(9) Not yet received	-
		(10) Not yet received	-
		(11) Not yet received	-
		(12) Not yet received	-
		(13) Not yet received	-
		(14) Not yet received	-
Cuba	16 March 2001	(1) CERD/C/R.50/Add.7	CERD/C/SR.180
		(2) CERD/C/R.77/Add.3, Add.5 and Add.8	CERD/C/SR.290-291
		(3) CERD/C/R.98/Add.4	CERD/C/SR.350
		(4) CERD/C/48/Add.4 and Corr.1 (Spanish only)	CERD/C/SR.445-446
		(5) CERD/C/75/Add.2	CERD/C/SR.533-535
		(6) CERD/C/106/Add.3	CERD/C/SR.637-638
		(7) CERD/C/131/Add.4 Corr.1 (English only)	CERD/C/SR.759
		(8) CERD/C/158/Add.4	CERD/C/SR.845-846
		(9) CERD/C/184/Add.3	CERD/C/SR.894-895
		(10) CERD/C/319/Add.4	CERD/C/SR.1290-1291
		(11) CERD/C/319/Add.4	CERD/C/SR.1290-1291
		(12) CERD/C/319/Add.4	CERD/C/SR.1290-1291
		(13) CERD/C/319/Add.4	CERD/C/SR.1290-1291
		(14) Not yet received	-

States parties	Date on which fifteenth periodic report is due	Documents containing (1) initial, (2) second, (3) third, (4) fourth, (5) fifth, (6) sixth, (7) seventh, (8) eighth, (9) ninth, (10) tenth, (11) eleventh, (12) twelfth, (13) thirteenth and (14) fourteenth periodic reports	Summary records
Denmark	8 January 2001	(1) CERD/C/R.50/Add.3	CERD/C/SR.159
		(2) CERD/C/R.77/Add.2	CERD/C/SR.236
		(3) CERD/C/R.98/Add.3	CERD/C/SR.334
		(4) CERD/C/48/Add.2	CERD/C/SR.442-443
		(5) CERD/C/75/Add.5	CERD/C/SR.540
		(6) CERD/C/106/Add.9	CERD/C/SR.664-666
		(7) CERD/C/131/Add.6	CERD/C/SR.763-765
		(8) CERD/C/158/Add.8	CERD/C/SR.864-865
		(9) CERD/C/184/Add.2	CERD/C/SR.864-865
		(10) CERD/C/280/Add.1	CERD/C/SR.1137-1138
		(11) CERD/C/280/Add.1	CERD/C/SR.1137-1138
		(12) CERD/C/280/Add.1	CERD/C/SR.1137-1138
		(13) CERD/C/319/Add.1	CERD/C/SR.1220-1221, 1230
		(14) CERD/C/362/Add.1	CERD/C/SR.1377-1378
Mauritius	29 June 2001	(1) CERD/C/R.50/Add.5	CERD/C/SR.180
		(2) CERD/C/R.77/Add.11	CERD/C/SR.343
		(3) CERD/C/38	CERD/C/SR.435-436
		(4) CERD/C/75/Add.8	CERD/C/SR.559-560
		(5) CERD/C/75/Add.8	CERD/C/SR.559-560
		(6) CERD/C/106/Add.8	CERD/C/SR.664, 666-667
		(7) CERD/C/131/Add.8	CERD/C/SR.782-792
		(8) CERD/C/280/Add.2	CERD/C/SR.1173-1175
		(9) CERD/C/280/Add.2	CERD/C/SR.1173-1175
		(10) CERD/C/280/Add.2	CERD/C/SR.1173-1175
		(11) CERD/C/280/Add.2	CERD/C/SR.1173-1175
		(12) CERD/C/280/Add.2	CERD/C/SR.1173-1175
		(13) CERD/C/362/Add.2	CERD/C/SR.1401-1402, 1414
		(14) CERD/C/362/Add.2	CERD/C/SR.1401-1402, 1414

States parties	Date on which fifteenth periodic report is due	Documents containing (1) initial, (2) second, (3) third, (4) fourth, (5) fifth, (6) sixth, (7) seventh, (8) eighth, (9) ninth, (10) tenth, (11) eleventh, (12) twelfth, (13) thirteenth and (14) fourteenth periodic reports	Summary records
Netherlands	9 January 2001	(1) CERD/C/R.50/Add.4	CERD/C/SR.160-161
		(2) CERD/C/4	CERD/C/SR.239-240
		(3) CERD/C/9	CERD/C/SR.333-334
		(4) CERD/C/48/Add.5	CERD/C/SR.446-447
		(5) CERD/C/75/Add.6	CERD/C/SR.540-541
		(6) CERD/C/106/Add.11	CERD/C/SR.689-691
		(7) CERD/C/131/Add.7 and CERD/C/131/Add.10	CERD/C/SR.766-767, 769
		(8) CERD/C/158/Add.9	CERD/C/SR.872-873
		(9) CERD/C/184/Add.4 and CERD/C/184/Add.6	CERD/C/SR.872-873
		(10) CERD/C/319/Add.2	CERD/C/SR.1252-1253
		(11) CERD/C/319/Add.2	CERD/C/SR.1252-1253
		(12) CERD/C/319/Add.2	CERD/C/SR.1252-1253
		(13) CERD/C/319/Add.2	CERD/C/SR.1252-1253
		(14) CERD/C/362/Add.4	CERD/C/SR.1413-1414, 1424
New Zealand	22 December 2001	(1) CERD/C/R.50/Add.8	CERD/C/SR.181
		(2) CERD/C/R.77/Add.7	CERD/C/SR.282-283
		(3) CERD/C/37	CERD/C/SR.414-415
		(4) CERD/C/48/Add.10	CERD/C/SR.531-532
		(5) CERD/C/75/Add.14	CERD/C/SR.652-653
		(6) CERD/C/106/Add.10	CERD/C/SR.652-653
		(7) CERD/C/131/Add.9	CERD/C/SR.788-789, 791
		(8) CERD/C/184/Add.5	CERD/C/SR.877-878
		(9) CERD/C/184/Add.5	CERD/C/SR.877-878
		(10) CERD/C/239/Add.3	CERD/C/SR.1106-1107
		(11) CERD/C/239/Add.3	CERD/C/SR.1106-1107
		(12) Not yet received	-
		(13) Not yet received	-
		(14) Not yet received	-

States parties	Date on which fifteenth periodic report is due	Documents containing (1) initial, (2) second, (3) third, (4) fourth, (5) fifth, (6) sixth, (7) seventh, (8) eighth, (9) ninth, (10) tenth, (11) eleventh, (12) twelfth, (13) thirteenth and (14) fourteenth periodic reports	Summary records
Senegal	19 May 2001	(1) CERD/C/R.50/Add.14	CERD/C/SR.249-250
		(2) CERD/C/R.77/Add.10	CERD/C/SR.304
		(3) CERD/C/40	CERD/C/SR.419-420
		(4) CERD/C/48/Add.9	CERD/C/SR.506-507
		(5) CERD/C/131/Add.5	CERD/C/SR.763
		(6) CERD/C/131/Add.5	CERD/C/SR.763
		(7) CERD/C/131/Add.5	CERD/C/SR.763
		(8) CERD/C/158/Add.3	CERD/C/SR.843-844
		(9) CERD/C/209/Add.7	CERD/C/SR.1046-1047
		(10) CERD/C/209/Add.7	CERD/C/SR.1046-1047
		(11) Not yet received	-
		(12) Not yet received	-
		(13) Not yet received	-
		(14) Not yet received	-
Sweden	5 January 2001	(1) CERD/C/R.50/Add.2	CERD/C/SR.158-159
		(2) CERD/C/R.77/Add.1	CERD/C/SR.241
		(3) CERD/C/R.98/Add.1	CERD/C/SR.332
		(4) CERD/C/48/Add.1	CERD/C/SR.436-437
		(5) CERD/C/75/Add.1	CERD/C/SR.530
		(6) CERD/C/106/Add.2	CERD/C/SR.636
		(7) CERD/C/131/Add.2/Rev.1	CERD/C/SR.768-769
		(8) CERD/C/158/Add.7	CERD/C/SR.850-851
		(9) CERD/C/184/Add.1	CERD/C/SR.850-851
		(10) CERD/C/209/Add.1	CERD/C/SR.901-902
		(11) CERD/C/239/Add.1	CERD/C/SR.1018-1019
		(12) CERD/C/280/Add.4	CERD/C/SR.1224-1225
		(13) CERD/C/362/Add.5	CERD/C/SR.1417-1418, 1431
		(14) CERD/C/362/Add.5	CERD/C/SR.1417-1418, 1431

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Togo	1 October 2001	(1) CERD/C/75/Add.12	CERD/C/SR.640-641
		(2) CERD/C/75/Add.12	CERD/C/SR.640-641
		(3) CERD/C/75/Add.12	CERD/C/SR.640-641
		(4) CERD/C/75/Add.12	CERD/C/SR.640-641
		(5) CERD/C/75/Add.12	CERD/C/SR.640-641
		(6) Not yet received	-
		(7) Not yet received	-
		(8) Not yet received	-
		(9) Not yet received	-
		(10) Not yet received	-
		(11) Not yet received	-
		(12) Not yet received	-
		(13) Not yet received	-
		(14) Not yet received	-
Tonga	17 March 2001	(1) CERD/C/R.50/Add.1 and Add.10	CERD/C/SR.156, 194
		(2) CERD/C/5	CERD/C/SR.277-278
		(3) CERD/C/30	CERD/C/SR.393
		(4) CERD/C/75/Add.3	CERD/C/SR.551
		(5) CERD/C/75/Add.3	CERD/C/SR.551
		(6) CERD/C/106/Add.5	CERD/C/SR.656
		(7) CERD/C/131/Add.1	CERD/C/SR.728
		(8) CERD/C/158/Add.5	CERD/C/SR.838
		(9) CERD/C/209/Add.5	CERD/C/SR.1006
		(10) CERD/C/209/Add.5	CERD/C/SR.1006
		(11) CERD/C/319/Add.3	CERD/C/SR.1298
		(12) CERD/C/319/Add.3	CERD/C/SR.1298
		(13) CERD/C/319/Add.3	CERD/C/SR.1298
		(14) CERD/C/362/Add.3	CERD/C/SR.1384, 1395

States parties	Date on which fifteenth periodic report is due	Documents containing (1) initial, (2) second, (3) third, (4) fourth, (5) fifth, (6) sixth, (7) seventh, (8) eighth, (9) ninth, (10) tenth, (11) eleventh, (12) twelfth, (13) thirteenth and (14) fourteenth periodic reports	Summary records
United Republic of Tanzania	26 November 2001	(1) CERD/C/R.50/Add.15	CERD/C/SR.287
		(2) CERD/C/R.77/Add.9	CERD/C/SR.287
		(3) CERD/C/48/Add.8	CERD/C/SR.481-482
		(4) CERD/C/48/Add.8	CERD/C/SR.481-482
		(5) CERD/C/75/Add.10	CERD/C/SR.628
		(6) CERD/C/131/Add.11	CERD/C/SR.817
		(7) CERD/C/131/Add.11	CERD/C/SR.817
		(8) Not yet received	-
		(9) Not yet received	-
		(10) Not yet received	-
		(11) Not yet received	-
		(12) Not yet received	-
		(13) Not yet received	-
		(14) Not yet received	-
Yemen	17 November 2001	(1) CERD/C/R.50/Add.12	CERD/C/SR.210
		(2) CERD/C/R.77/Add.12	CERD/C/SR.328
		(3) CERD/C/48/Add.7	CERD/C/SR.461-462
		(4) CERD/C/48/Add.7	CERD/C/SR.461-462
		(5) CERD/C/106/Add.6	CERD/C/SR.657
		(6) CERD/C/106/Add.6	CERD/C/SR.657
		(7) CERD/C/158/Add.10	
		(8) CERD/C/158/Add.10	
		(9) CERD/C/209/Add.2	CERD/C/SR.946, 950
		(10) CERD/C/209/Add.2	CERD/C/SR.946, 950
		(11) Not Yet received	-
		(12) Not Yet received	-
		(13) Not Yet received	-
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States parties	Date on which fifteenth periodic report is due	Documents containing (1) initial, (2) second, (3) third, (4) fourth, (5) fifth, (6) sixth, (7) seventh, (8) eighth, (9) ninth, (10) tenth, (11) eleventh, (12) twelfth, (13) thirteenth and (14) fourteenth periodic reports	Summary records
Zambia	5 March 2001	(1) CERD/C/R.50/Add.13	CERD/C/SR.242
		(2) CERD/C/106/Add.1	CERD/C/SR.634-635
		(3) CERD/C/106/Add.1	CERD/C/SR.634-635
		(4) CERD/C/106/Add.1	CERD/C/SR.634-635
		(5) CERD/C/106/Add.1	CERD/C/SR.634-635
		(6) CERD/C/106/Add.1 and Add.7	CERD/C/SR.634-635
		(7) CERD/C/239/Add.2	CERD/C/SR.988
		(8) CERD/C/239/Add.2	CERD/C/SR.988
		(9) CERD/C/239/Add.2	CERD/C/SR.988
		(10) CERD/C/239/Add.2	CERD/C/SR.988
		(11) CERD/C/239/Add.2	CERD/C/SR.988
		(12) Not yet received	-
		(13) Not yet received	-
		(14) Not yet received	-

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION

Fifteenth periodic reports of States parties due in 2001

Addendum

DENMARK*

[23 January 2001]

* This document contains the fifteenth periodic reports of Denmark due on 8 January 2001. For the fourteenth reports of Denmark and the summary records of the meetings at which the Committee considered that report, see documents CERD/C/362/Add.1 and CERD/C/SR.1377-1378.

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I. GENERAL OBSERVATIONS

1. This is the fifteenth report submitted by Denmark in pursuance of article 9, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination. The report is an updating report concerning Denmark's fourteenth periodic report, (CERD/C/362/Add.1 of 12 July 1999), submitted by the Government of Denmark to the Committee on the Elimination of Racial Discrimination on 8 January 1999.

2. In the fifteenth report reference has been made to the concluding observations of the Committee on the Elimination of Racial Discrimination adopted after the examination of Denmark's fourteenth periodic report on 8 and 9 March 2000 (CERD/C/304/Add.93).

3. Chapter III contains a report concerning Greenland. Part II of that report has been drafted by the Greenland Home Rule Authorities.

II. INFORMATION RELATING TO ARTICLES 2 TO 7 AND ARTICLE 14 OF THE CONVENTION

Article 2

General measures to eliminate racial discrimination

Integration Act

4. In paragraph 4 of its concluding observations concerning Denmark's fourteenth periodic report (CERD/C/304/Add.93), the Committee on the Elimination of Racial Discrimination (hereinafter referred to as the Committee) noted the Integration Act as a positive aspect.

5. As mentioned in Denmark's fourteenth periodic report, the Danish Parliament adopted the Act on Integration of Aliens in Denmark (lov om integration af udlændinge i Danmark) (the Integration Act) on 26 June 1998. The Act, which entered into force on 1 January 1999, is the first actual integration act in Denmark, which has not previously had a comprehensive set of rules in this field.

6. One of the overall objectives of the Act is that refugees and immigrants are to become contributing members of Danish society on an equal footing with Danes. Therefore, the Integration Act prescribes that newly arrived aliens must be offered participation in an introduction programme comprising a course in understanding Danish society, Danish lessons, and orientation activities consisting of practical or formal training or education intended to improve the individual alien's chances of getting work. The Act also includes rules under which aliens who cannot support themselves receive a special introduction allowance until they can support themselves.

7. When the Integration Act entered into force, the Government initiated an action plan for evaluation of the Act. In accordance with the adopted action plan a questionnaire was sent in August 1999 to 34 of the local authorities in Denmark. The survey illustrated the issues concerning the assignment of refugees to municipalities for housing purposes, the local

authorities' preparation of action plans, as well as the aliens' employment situation and their overall financial situation. The results of the survey, published in December 1999, showed that the local authorities have succeeded to a great extent in procuring housing for the refugees and in preparing action plans and offering Danish courses before the deadlines provided in the Act. At the same time, the survey showed that few of the aliens have found ordinary employment and that to a great extent the aliens have received assistance under the rules on assistance in special cases. In order to give the aliens the best possible conditions for participating actively in the integration efforts, the Government decided to raise the introduction allowance so that the amount of the allowance is adapted according to the rules applying to the amount of the cash assistance. This amendment was adopted by the Danish Parliament as Act No. 57 of 25 January 2000.

Action plan for improved integration

8. In paragraph 5 of its concluding observations concerning Denmark's fourteenth periodic report (CERD/C/304/Add.93) the Committee stated as a positive aspect that in October 1999 the Danish Government had appointed a Committee of Ministers on Integration, and that by February 2000 the Committee had prepared an overall action plan for improved integration efforts consisting of more than 75 specific initiatives.

9. The Committee, consisting of the Ministers of Labour, Housing and Urban Affairs and Finance, the Minister of the Interior and the Ministers of Justice, Social Affairs, Education and Economy, has since turned into a standing committee which is to ensure ongoing coordination of the integration efforts in Denmark and follow-up of the 78 specific initiatives of the action plan for improved integration.

Influence of ethnic minorities

10. The entry into force of the Integration Act on 1 January 1999 made it possible to establish municipal integration councils if more than 50 persons jointly so request. The integration councils may give advisory opinions on the general integration efforts of the local authority and on the introduction programmes offered by the local authority pursuant to the Integration Act. The opinions are made public.

11. Members of the integration council are appointed by the local authority from among members of local refugee and immigrant associations or other similar persons and among persons with ties to the labour market parties, boards of school governors, etc.

12. At present, 34 integration councils have been established. Most of the municipalities that have established integration councils have a relatively large proportion of aliens. An integration council has been established in four of the five municipalities in Denmark (Ishøj, Brøndby, Albertslund, Copenhagen and Karlebo) with the largest proportions of aliens.

13. Each integration council can appoint a member to the Committee of Representatives for the Council for Ethnic Minorities. Members of the Committee of Representatives elect the Council for Ethnic Minorities (Rådet for Etniske Minoriteter), which thus consists of members associated with the local integration work. The Council for Ethnic Minorities advises the

Minister of the Interior on issues concerning refugees and immigrants. The Council for Ethnic Minorities consists of 4 women and 10 men, and the members originate from Turkey, Iran, Tanzania, Sri Lanka, Bosnia, China and Pakistan.

Measures to improve employment opportunities

14. Statistical data from 1998 show that unemployment for Danish citizens is approximately 6 per cent; for immigrants from the EEA (European Economic Area) countries and North America unemployment is approximately 9 per cent, whereas unemployment for other immigrants is 23 per cent.

15. In paragraph 11 of its concluding observations concerning Denmark's fourteenth periodic report (CERD/C/304/Add.93) the Committee expressed concern over the level of unemployment among foreigners in Denmark and the difficult access to employment by members of ethnic minorities.

16. The Danish Government shares the concern over the higher unemployment rate among persons from another ethnic background than Danish. In order to promote the integration of "new Danish citizens" in the labour market, a number of initiatives have been introduced, for example:

(a) Danish language training at an earlier stage for unemployed persons with insufficient knowledge of the Danish language. This initiative aims at providing all insured unemployed persons with insufficient knowledge of the Danish language with an offer of Danish language training as early as possible in the course of their unemployment. Insufficient knowledge of the Danish language must not prevent unemployed refugees and immigrants from entering into employment or participating in ordinary orientation opportunities. This initiative is realized through the allocation of special funds to the Public Employment Service regions;

(b) Strengthening of the Public Employment Service's placement activities in relation to refugees and immigrants. In the Public Employment Service regions of Copenhagen, Århus, Odense, Ålborg and Frederiksborg special units have been established on an experimental basis. Through active contact with enterprises, their task is to ensure that unemployed refugees and immigrants get a job. The purpose of these units is primarily to strengthen the contact with the enterprises and the ordinary placement activities in relation to ethnic minorities. The units must contribute to ensuring that the instruments that have been developed in connection with the labour market reform, etc. are applied to the extent necessary in relation to refugees and immigrants;

(c) The "ice-breaker scheme". In October 1999, this scheme was extended to cover persons receiving cash benefits. Furthermore, entry into this scheme has been made easier, in that the unemployment requirement has been reduced to two months. The scheme has been guaranteed financing throughout 2001, which means that the total number of ice-breaker courses from the introduction of the scheme to the end of 2001 may reach 300;

(d) Better understanding and utilization of immigrants' and refugees' competences is an initiative composed of three elements: clarification of refugees' and immigrants' qualifications, acknowledgement of needs for upgrading of competences and employer contact on the basis of the qualifications clarified. This initiative is carried out in cooperation with the Ministry of Social Affairs. The actual work takes place in a working group with the participation of the Public Employment Service, the National Association of Local Authorities (Kommunernes Landsforening) and a newly established centre for the assessment of foreign educational qualifications;

(e) In autumn 2000, special education/training measures were introduced in relation to the Public Employment Service staff, with a view to upgrading the qualifications of the employees within the field of integration of refugees and immigrants;

(f) It has been decided to launch a benchmarking process of the integration measures within the Public Employment Service. The project forms part of the National Labour Market Authority's plans for 2001;

(g) The target group for certain pilot projects carried out in cooperation between the National Labour Market Authority (the vocational training centres) and the Ministry of Education will be extended to include persons receiving cash benefits. The courses under the projects are a combination of vocational courses and Danish language training (language centres and vocational training centres);

(h) Revision of the Act on an active labour market policy with a view to determining how the provisions of the Act are applied in relation to ethnic minorities, including whether there is a potential for indirect discrimination against ethnic minorities in the legislation ("The internal action plan for ethnic equality"). This initiative must be seen in connection with another initiative under the internal action plan, viz. the analysis of the use of the individual labour market instruments as mentioned below;

(i) Bridge-building projects (the so-called "rope-holder scheme") for the purpose of strengthening the integration of immigrants and refugees at the workplace. These projects are carried out in cooperation between the Ministry of Social Affairs and the Ministry of Labour. The first application round is being processed;

(j) An analysis of the use of the individual labour market instruments with a view to assessing the measures in relation to the integration of ethnic minorities in the labour market. The instruments in question are, e.g. the Public Employment Service's information and guidance measures, job training, job rotation, and the adult apprentice scheme.

17. The social partners are involved in the efforts to integrate immigrants and refugees in the labour market. As part of this work, the effects of the orientation measures in relation to immigrants etc. in the labour market are analysed. This analysis deals with the effect of labour market policy measures on the labour market.

Measures taken in the public sector

18. On 12 June 1997 the Danish Ministry of Finance and CFU (the Joint Committee of the Central Organizations in Denmark) concluded a cooperation agreement concerning prohibition of discrimination at government workplaces. The agreement binds management and employee representatives in the government joint committees to seek to ensure that discrimination does not take place in the individual institutions.

19. Since the conclusion of the agreement in 1997 several government measures have been taken to ensure ethnic equality and integration of ethnic minorities at government workplaces.

20. Following focus on the integration issue in the spring of 1999 the Ministry of Finance and CFU initiated an examination of the possibilities of and obstacles to integration of ethnic minorities at government workplaces. The examination, which was published in August 1999, uncovered several obstacles to and needs for integration of ethnic minorities at government workplaces.

21. On the basis of the examination's findings the Ministry of Finance, jointly with CFU, prepared an action plan for the integration of ethnic minorities at government workplaces. The action plan was published by the Minister of Finance on 17 December 1999 and formed the basis of a two-year campaign to improve integration at government workplaces.

22. As part of the action plan the Ministry of Finance in March 2000 employed an ethnic campaign coordinator who coordinates the efforts in the government labour market and advises ministries and agencies on integration of ethnic minorities.

23. As part of their consulting services the Ministry of Finance and CFU in April 2000 sent out a brochure to the government workplaces encouraging them to make use of a number of selected consulting services which in various ways offer advice on and inspiration for intensified integration efforts.

24. To support the possibilities of combining work and Danish lessons the Appropriation Act 2000 introduced funds for grants for job-related Danish lessons to ethnic minorities at government workplaces. From these funds government institutions may apply for grants of DKK 10,000 per employee to cover such expenses in relation to bilingual employees.

25. To improve the recruitment basis among ethnic minorities the Ministry of Finance in August 2000 issued a circular requiring all government job advertisements to include a clause stating that all interested parties, irrespective of age, gender, race, religion or ethnic background, are encouraged to apply for the job in question.

26. The integration efforts are continuously evaluated. In October 2000, the Minister of Finance wrote to all ministries requesting information about the status of their integration efforts. The feedback is used in a general evaluation of the preliminary effect of the campaign and as a basis for guidelines for the future efforts.

27. As part of the action plan the Ministry of Finance has already planned new integration initiatives for the next year. The initiatives include publication of new guidelines for ethnic equality in the Government, holding of a recruitment fair for ethnic minorities to draw attention to vacancies in the public sector, and the holding of a conference for government institutions on integration of ethnic minorities.

Article 3

Prohibition against racial segregation

28. The Danish Act on Prohibition against Discrimination on the basis of Race, etc. (lov om forbud mod forskelsbehandling på grund af race mv.) prohibits discrimination in connection with commercial or non-profit businesses on the basis of a person's race, colour, national or ethnic origin, religion or sexual orientation. The Act was adopted in connection with Denmark's ratification of the International Convention on the Elimination of All Forms of Racial Discrimination, cf. Consolidated Act No. 626 of 29 September 1987. The Act and its associated case law are described in, inter alia, Denmark's fourteenth report (CERD/C/362/Add.1, paras. 246-251).

29. Since the Danish Government prepared Denmark's fourteenth report, five criminal cases of violation of the Act have been prosecuted. A detailed account of these cases has been given under the comments on article 5 (f). Please refer to this account.

Article 4

Re article 4 (a)

Criminal cases concerning racist statements

30. Section 266 b of the Danish Criminal Code (straffeloven) prohibits the dissemination of racist statements and racist propaganda. The provision and its associated case law are described in, inter alia, Denmark's fourteenth report (paras. 135-143).

31. Since the Danish Government prepared Denmark's fourteenth report convictions have been obtained in six cases of violation of section 266 b of the Criminal Code:

- By judgement of the Western High Court of 17 November 1998, a candidate at the local election for the right-wing political party the Danish People's Party (Dansk Folkeparti) was sentenced to 20 day-fines of DKK 200 for having, in a newspaper interview, uttered the following statement: "The blacks are spreading everywhere, just like cancer" and "Crime is inherent in the foreigners' genes". On an overall assessment, the High Court found that the statement "They are bolder than brass" was not of such gravity that the statement fell within section 266 b of the Criminal Code. It should be noted that this judgement was pronounced before Denmark submitted its fourteenth report on 8 January 1999. The judgement of the District Court is mentioned in Denmark's fourteenth report (para. 140, cf. judgement of the Criminal Court in Silkeborg of 5 May 1998).

- By judgement of the Eastern High Court of 22 March 1999, a 53-year-old man was sentenced to 20 day-fines of DKK 100 for having, on a home page on the Internet, made allegations against religious/ethnic groups of extremely serious crimes. The High Court found that the fact that the statements had been made over the Internet did not in itself mean that section 266 b (2) of the Criminal Code on propaganda activities could be applied. The judgement of the Copenhagen City Court in the case is mentioned in Denmark's fourteenth report (para. 140, cf. judgement of the Copenhagen City Court of 15 June 1998).

- By the judgement of the Western High Court of 18 May 1999, a 57-year-old member of the Danish People's Party was sentenced to 10 day-fines of DKK 200 for having stated during an election meeting: "... the main occupation in Poland is prostitution, pardon the expression; they say that 80 per cent of the women in Poland are whores".

- By judgement of the Criminal Court in Hillerød of 15 June 2000, a 20-year-old man was sentenced to 10 day-fines of DKK 200 for having, on a home page on the Internet, made a series of highly insulting and threatening statements aimed at people from former Yugoslavia. The statements of the accused included the following: "As I mentioned earlier, I have no scruples whatsoever about these individuals. I think that we should send each and every one of those that we have here home, even if it is to certain death, so much the better ...", "... that kind of people I simply cannot tolerate, and I don't mind being the one who destroys each and every one of them!!!! ..."; the subsequently convicted man later also used expressions like "a thoroughly primitive people" and "a degenerate people". The court found that the statements of the accused on the home page were not part of such systematic, intense and persistent efforts to affect public opinion that section 266 b (2) of the Criminal Code on propaganda activities could be applied. The public prosecutor's claim for a custodial penalty was not allowed.

- By judgement of the Supreme Court of 23 August 2000, a 74-year-old man, the founder of a political party, was sentenced to seven days' suspended lenient imprisonment for violation of section 266 b (1) of the Criminal Code, having, in a television broadcast, characterized Muslims as world criminals and for having stated that Muslims would expose the Danish population to invasion, castration and homicide. The judgement was made suspended owing to the age of the accused. The judgement of the Copenhagen City Court is mentioned in Denmark's fourteenth report (para. 140, cf. the judgement of the Copenhagen City Court of 23 March 1998).

- By judgement of the District Court in Odense of 28 September 2000, the 74-year-old man mentioned above was sentenced to 20 days' suspended lenient imprisonment for violation of section 266 b of the Criminal Code, having made a number of statements that were insulting or degrading to persons of the Muslim faith on several occasions in television and radio broadcasts, the accused having stated as follows about Muslims: "... it is only to exterminate and kill the Danes that they come here" and "... it is not a religion - it is a global destruction movement, and it has nothing to do with religion"; the subsequently convicted man stated that if they did not leave voluntarily within a fixed period, they were to be captured and offered by tender to

those who would pay the most for them. The sentence, which was meted out as a sentence concurrent with the sentence passed by the Supreme Court on 23 August 2000, was made suspended owing to the offender's age. The judgement has been appealed.

32. In one case the accused was acquitted. By judgement of the Western High Court of 18 May 1999, in which a 64-year-old Dane was accused of having, in extension of an election meeting at an inn, made the following statements to a journalist who passed them on to the newspaper: "They are bred like pigs and think like pigs. They just have to stay down in Seweristan where they belong." The High Court found that the statements fell within section 266 b of the Criminal Code, but acquitted the accused on the ground that it had not been proved that he had intended to disseminate the statements. The High Court thus found it non-proven that the accused was aware that he was talking with a journalist who would pass on the statements.

33. Furthermore, prosecution has been initiated in five cases not yet decided by the courts, one of which has been transferred for prosecution in Sweden. This case concerns two Swedish nationals who, at a demonstration arranged by the Danish neo-Nazis, wore T-shirts bearing the inscription "kill them all big and small" on the front and "smash the Jews" on the back.

34. Finally, it has been decided to withdraw charges for violation of section 266 b of the Criminal Code in four cases. In two of these, the accused have instead been charged with violation of the police regulations concerning insulting conduct and with section 266 of the Criminal Code on threats.

35. Since 14 October 1998, the Chief Constables have rejected a total of 22 notifications on violation of the provision, two of which however concerned statements about homosexuals.

36. In paragraph 10 of its concluding observations on Denmark's fourteenth periodic report (CERD/C/304/Add.93) the Committee recommended that sanctions pronounced under section 266 b of the Criminal Code be commensurate with the nature of the related crime.

37. On this matter the Danish Government would state as follows.

38. Pursuant to section 266 b, racist statements are punished by a fine, lenient imprisonment or imprisonment for up to two years.

39. As appears from the judgements cited above, the sanction for violation of section 266 b of the Criminal Code is normally a fine. Pursuant to section 51 of the Criminal Code the fine is meted out as day-fines, the number of which is determined with regard to the nature of the offence, information on the offender's person and his motives for the offence. The amount of the individual day fine is fixed on the basis of information on the financial situation of the offender in question.

40. The fine for violating section 266 b of the Criminal Code is normally fixed at 10 to 20 day-fines.

41. The assessment whether this level of sanction can be considered suitable should be made in the light of the Danish level of sanctions, including particularly the level of sanctions in cases of offences of a similar nature.

42. Section 266 b of the Criminal Code has been inserted in the part of the Criminal Code that concerns invasion of privacy and defamation of character. The sanction for violating the other provisions of this part is normally a fine. Thus, for example, the sanction for violating section 266 of the Criminal Code relating to threats to a person's life is usually a fine or a very short custodial penalty.

43. The sanction for violating section 265 of the Criminal Code by intruding on a person, pursuing him with letters or inconveniencing him in any other similar way, despite warnings by the police, is usually a fine, unless there are several violations or repeated violations.

44. Finally, violation of section 266 b can be compared with violation of section 121 concerning any person who attacks public officials with insults, abusive language or other offensive words or gestures while they are executing their office or function. In the vast majority of cases, these violations are punished with a fine.

45. Against this background, the Danish Government finds that the level of sanction for violating section 266 b of the Criminal Code cannot be considered to be lower than the sanction in Denmark for similar offences. In this respect, importance is also attached to the fact that the courts have applied custodial penalties in cases of repeated violations.

Re article 4 (b)

46. No new development to report on Radio Oasen.

Article 5

Re article 5 (d) (i) - The right of free movement and residence

47. In paragraph 9 of its concluding observations concerning Denmark's fourteenth periodic report (CERD/C/304/Add.93), the Committee expressed its concern as to whether decisions assigning newly arrived aliens to housing in a particular municipality may be arbitrary, and the Committee recommended that Denmark adopt procedural rules to ensure that Denmark observes its obligations under the Convention.

48. It is noted in this connection that the rules on housing of the Danish Integration Act apply only to refugees who are granted a residence permit for Denmark. Other aliens, such as persons who are granted a residence permit as a consequence of family reunification, thus do not fall within the rules on housing.

49. As appears from Denmark's fourteenth periodic report, the Integration Act already has rules on the criteria to be taken into account when it is decided where refugees will be housed. These relate to the municipal quota for new refugees, the situation in the municipality in general, as well as the personal situation of the individual refugee.

50. This means that a specific and individual assessment must be made in each case in connection with the decision, in which all the criteria mentioned above must be taken into account to the extent that they are relevant.

51. It should also be noted that if a refugee has very particular ties with a municipality which is not supposed to receive refugees in that year according to the quota for new refugees, the Danish Immigration Service may nevertheless assign the refugee to the municipality in question. This may occur, for example, in the case of spouses, unaccompanied minor refugees, or for very special treatment and health reasons.

52. The information on the personal situation of the individual refugee, including the question whether he or she has ties with specific municipalities or otherwise has special wishes in relation to housing, is procured from the refugee by the Danish Immigration Service. This is done either in connection with an interview with the refugee or through a questionnaire filled out by the person in question. Moreover, supplementary information is collected, for example concerning health matters, if relevant to the decision on housing.

53. As mentioned in Denmark's fourteenth periodic report, the responsibility for the integration efforts was transferred from the Government to the local authorities when the Integration Act was adopted. The local authorities thus have the overall responsibility for handling the individual elements of the integration efforts. In paragraph 7 of its concluding observations concerning Denmark's fourteenth periodic report (CERD/C/304/Add.93), the Committee recommended that the Government monitor the implementation of the Integration Act, in particular to ensure that the geographical distribution of refugees accords with the principle of equality and will not result in violation of rights protected under the Convention.

54. In addition to the mentioned survey carried out by the Ministry of the Interior in August 1999 (see above under article 2), the Ministry of the Interior has initiated two further external studies in connection with the evaluation of the Integration Act, carried out by private, internationally recognized firms of consultants.

55. One report, called "Integration in practice - Local authorities' first experiences with the Integration Act" (Integration i praksis - Kommunernes første erfaringer med integrationsloven) was published on 16 November 2000 and is a study of the local authorities' implementation of the Integration Act and their organization of the integration efforts. The other report, called "Aliens' own perception of their situation and the integration process in Denmark" (Udlændinges egen opfattelse af deres situation og integrationsprocessen i Danmark) was also published on 16 November 2000. The two studies were carried out shortly after the Integration Act entered into force and therefore illustrate the first experiences with the Act.

56. On the very overall level, the reports point to the positive aspects, among others: (a) that the aliens agree that it is reasonable to require participation in the introduction programme; (b) that the local authorities see the decentralization of the integration responsibility as an obvious advantage; and (c) that the Danish language lessons function particularly well, as 73 per cent of the aliens are very satisfied or satisfied with the Danish lessons.

57. Some problem fields are also pointed out, including: (a) the fact that the orientation activities intended to promote employment in the labour market has not yet achieved the level provided for by the Integration Act; (b) that the local authorities generally find it difficult to respect the deadlines of the Integration Act; and, finally (c) that a number of refugees are dissatisfied with the allocation of housing.

58. It appears that 40 per cent of the refugees asked would like to go on living in the municipality to which they were assigned, but that 26 per cent want to move because they want to live together with fellow countrymen and family or because they want to seek work in another municipality. The remaining 34 per cent have not yet made up their minds. The refugees who are most dissatisfied are especially refugees with higher education who have been assigned to a small municipality, as they feel isolated and believe that it is difficult for them to find work or education in the area. However, most of the aliens are satisfied with their reception in the municipality where they live today, and with their present dwelling.

59. The two studies contain a series of overall recommendations for improving the integration efforts.

60. In the coming year or two the Government will present new initiatives as a follow-up on the evaluation of the Integration Act.

61. The Government has already taken a number of new initiatives to improve the integration efforts. The Government has presented the action plan for improved integration mentioned above under article 2, introduced a bill amending the Integration Act and intended to promote aliens' participation in the introduction programme, and appointed a working group that is to submit proposals for initiatives that will enhance the orientation and the Danish courses.

Re article 5 (d) (iv) - The right to marriage

62. Since Denmark's fourteenth report, Act No. 424 of 31 May 2000 amending the Aliens Act and other Acts has amended several provisions of the Aliens Act on the right to family reunification (requirement of own dwelling in case of family reunification, requirement of ties in case of reunification of spouses, and an action against marriages not based on the parties' own free will). The Act entered into force on 3 June 2000.

63. One result of the amendment is that the statutory right to unification of spouses has been abolished for persons under 25 years of age. Instead, it is now possible, following an individual assessment, to grant permission for reunification of spouses to persons over 18 years of age, but under 25 years of age, if the marriage or the cohabitation can undoubtedly be considered as entered into at the resident person's own desire, or if particular personal circumstances otherwise make it appropriate (cf. section 9 (2) (vii) of the Aliens Act). Against that background, the former provision of section 9 (10) of the Aliens Act, which is mentioned in Denmark's fourteenth report, has been repealed. Under that provision, a residence permit based on marriage could not be granted in cases where at least one of the spouses was under 25 years of age, if the marriage had been entered into on the basis of an agreement concluded between others than the spouses.

64. The condition that young spouses under 25 years of age can only be reunified if the marriage can undoubtedly be considered as entered into at the resident person's desire makes it more probable that the young people will obtain an education or ties with the labour market, which, all other things being equal, presumably improves their ability to withstand undue influence to enter into marriage and carry through reunification of spouses against their own will.

65. It appears from the Memorandum to the above bill of amendments that in the Government's opinion section 9 (2) (vii) of the Aliens Act is not contrary to the prohibition against discrimination stipulated by article 5 of the Convention, as the ethnic origin of the young person is not significant to the assessment. This is made, inter alia, on the basis of the circumstances when the marriage was entered into and the spouses' personal contact prior to the marriage, for the purpose of protecting the young person against being unduly influenced to enter into the marriage against his or her own desire. The proposal thus does not involve any limitation of the right to reunification of spouses on the basis of ethnic origin.

66. The amendment also means that as a point of departure it is a condition for reunification of spouses with a person in Denmark who is not a Danish national that the spouses' or cohabitants' aggregate ties with Denmark correspond at least to the spouses' or the cohabitants' aggregate ties with another country (cf. section 9 (10) of the Aliens Act). The purpose of this is to grant permission for reunification of spouses only when the spouses' or the cohabitants' aggregate ties with Denmark are so strong that the spouses should be reunified in Denmark. This will improve the starting point for integration of the persons involved.

67. It appears from the Memorandum to the above bill of amendments that in the Government's opinion section 9 (10) of the Aliens Act is not contrary to the prohibition against discrimination stipulated by article 5 of the Convention. The difference in treatment by the bill between persons of Danish nationality and aliens is in the Government's opinion not an expression of discrimination within the meaning of the Convention. It should be noted in this respect that persons who were born and grew up in Denmark or arrived here as small children will generally be considered as having predominant ties with Denmark and thus in practice be in the same position as Danish nationals. Moreover, the assessment of ties for persons who are not Danish nationals must be made regardless of the ethnic origin of the resident person.

68. Finally, according to the amendment, it is a condition for reunification of spouses, as a point of departure, that the resident person proves that he or she has a dwelling of a reasonable size (cf. section 9 (11) of the Aliens Act). As a point of departure, such housing requirement also applies in case of family reunification with parents over 60 years of age and other close relatives, and in certain special cases this requirement can also be made in case of family reunification with minor children. The purpose of the housing requirement is to ensure a better starting point for a successful integration of both the family member to be reunified with his or her family in Denmark and the family members already living in Denmark. The requirement applies to both resident Danish nationals and to resident aliens.

69. It appears from the Memorandum to the above bill of amendments that each of the above provisions will be administered in such a manner that there is no doubt that the administration accords with Denmark's international obligations.

Re article 5 (e) (i) – The right to work

70. Act No. 459 of 12 June 1996 prohibiting discrimination on the labour market, etc. has not been amended since the last report. However, amendments to the Act are being considered with regard to the implementation of EU Article 13 Directives implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, Council Directive 2000/43/EC of 29 June 2000 and Draft Council Directive establishing a general framework for equal treatment in employment and occupation, on which there is political agreement.

Re article 5 (e) (iii) – The right to housing

71. A large and growing proportion of immigrants and their descendants from third countries live in non-profit housing. This proportion has increased from 47 per cent in 1990 to 58 per cent in 1995 and 60 per cent in 2000. In 1998, 71 per cent of all refugees lived in non-profit housing. Nationalities with the largest percentage in non-profit housing are stateless (87 per cent), Lebanese (85 per cent), Turkish (76 per cent) and Tamil (76 per cent). In comparison, 19 per cent of the total population lived in non-profit housing in 2000.

72. The regional distribution of refugees more or less corresponds to that of the total population. Thus, in 2000, 33 per cent of refugees lived in the Greater Copenhagen region, compared with 34 per cent of the total population. However, the proportion varied for individual nationalities. Almost half of the Iranians, Iraqis and Lebanese live in Greater Copenhagen, but only 14 per cent of the Vietnamese and 9 per cent of Tamils. On the other hand, other immigrants and descendants from third countries are primarily concentrated in the Greater Copenhagen region, in that 67 per cent live in this area. The largest percentage is for Pakistanis (95 per cent) and Moroccans (85 per cent).

73. As mentioned above under article 2, in February 2000, the Danish Government presented an action plan for better integration of immigrants in Denmark. Within the housing area, the Government wants to reverse the negative developments which can clearly be observed in certain non-profit housing areas with many immigrants and refugees, and where there are social problems and crime.

74. Immigrants and refugees are not the reason for the problems in these housing areas. The problems must be regarded in the context of conditions such as unemployment and the structure of the housing itself. Therefore, the Government's objective in the slightly longer term is to create a more flexible housing market and make the non-profit sector more competitive and attractive to all population groups.

75. In this regard, the Government finds it important to expand housing social responsibility to all types of ownership. It is equally important to create urban and housing development which includes an appropriate mix of types of dwelling/ownership.

76. A number of the proposals in the integration action plan were put into statute in spring 2000. These include the introduction of flexible tenancy regulations (see below), opportunities for remortgaging in especially deprived non-profit housing estates, establishment

of a municipal right of assignment to subsidized private cooperative apartments in order to solve housing social problems, as well as the introduction of a maximum number of residents per dwelling.

77. The main rule for letting non-profit family housing is on the basis of waiting lists. The waiting-list principle, however, does not provide much possibility to influence the composition of residents. Housing estates with housing social problems and many disadvantaged residents may, therefore, require more flexible tenancy rules which make it possible to attract a broader group of applicants.

78. As part of the Government's integration action plan, on 26 May 2000 the Government passed an amendment which makes it possible to let up to 90 per cent of the available dwellings on a housing estate according to special criteria which have been agreed between the municipal council and the housing organization.

79. Overall, flexible tenancy regulations should be seen as a municipal tool to create a more balanced composition of residents in municipal housing areas. For example, in problem areas priority may be given to people with more resources such as those moving to the area for work reasons, the elderly, students, divorcees, etc. The regulations can also be used to ensure that socially exposed groups have priority in better-functioning housing estates.

80. The new tenancy regulations replace the previous experiments with the rules for renting in accordance with section 144 of the Act on Non-Profit Dwellings and Subsidized Private Cooperative Housing etc. Therefore, the Ministry no longer authorizes trials according to the experiments, but trials in progress are continuing.

81. A clear requirement for agreements on flexible tenancy is that there must be no discrimination against ethnic minorities or people with social problems. Furthermore, agreements must not prevent municipal councils from carrying out their housing social tasks for those with acute housing needs.

82. The Ministry of Housing and Urban Affairs is actively following these developments in order to ensure that there is no discrimination in this area. The Ministry has issued a leaflet to local politicians about the new tenancy regulations which emphasizes that discrimination must not occur. Similarly, in more detailed guidelines for local authorities and housing organizations, the Ministry will explain about Denmark's international obligations to live up to a number of covenants which forbid various forms of discrimination. Furthermore, the Ministry will conduct theme studies of agreements on flexible tenancy. If there are conditions in a specific case which indicate that the local authority is about to develop a practice which conflicts with Denmark's national obligations, the Ministry will intervene and ensure that any illegal situations are stopped.

83. In addition to the continuous monitoring of this area, after three years the Ministry will carry out an overall assessment of flexible tenancy and the previous experiments, concentrating on the application of the regulations and the results achieved. An important element in the assessment will be a special focus on the effects of the flexible tenancy agreements on social integration and ethnic minorities' access to non-profit housing areas.

84. In April 2000, the Ministry rejected two tenancy trials in a local authority under the previous experiments with renting and assignment of non-profit dwellings under section 144 of the Act on Non-Profit Dwellings etc. The object of the trials was "to prevent the development of a kind of 'stairway ghetto', composed exclusively of residents of foreign descent" and "to retain a composition of residents of primarily Danish descent". On the basis of a statement from the Ministry of Justice, the Ministry of Housing and Urban Affairs found that both trials were in conflict with the Convention. The local authority acted on the Ministry's decision and the trials were not implemented.

85. In order to solve urgent housing social problems, typically acute housing needs, the municipal council can decide that the local authority has a right of assignment of up to one in four available non-profit family dwellings. Moreover, the municipal council and the housing organization can agree that the right of assignment will be extended right up to 100 per cent of the dwellings available.

86. In October 2000, the Ministry reprimanded a local authority which had entered into an agreement with a non-profit housing organization to extend the municipal rights of assignment in order to house integration refugees. The local authority was also to commit itself not to assign integrating refugees within the first 25 per cent of those assigned and to exclude them from certain types of dwelling. The Ministry strongly criticized the local authority for entering into an agreement which, in the view of the Ministry, was in conflict with international conventions on human rights. The local authority is currently renegotiating the agreement and the unacceptable conditions will be repealed.

Re article 5 (f) – The right of access to any place or service

Act on Prohibition against Discrimination on the basis of Race, etc.

87. Pursuant to the Act on Prohibition against Discrimination on the basis of Race, etc. (see above under article 3), it is a criminal offence within commercial or non-profit businesses to refuse to serve a person on the same terms as others because of his or her race, colour, national or ethnic origin, religion or sexual orientation. It is also an offence to refuse admittance to the person on the same terms as others to a place, performance, exhibition, meeting or the like that is open to the public (cf. Consolidated Act No. 626 of 29 September 1987).

88. During the period under review, convictions have been obtained in four cases of violation of the Act:

- By judgement of the Eastern High Court of 5 February 1999, a doorman was sentenced to a fine of DKK 1,000 for refusing to admit a person to a discotheque on the basis of the latter's colour and ethnic origin;

- By judgement of the Eastern High Court of 12 April 1999, a doorman was also sentenced to a fine of DKK 1,000 for refusing to admit a person to a discotheque on the basis of the latter's ethnic origin;

- By judgement of the District Court in Odense of 28 June 2000, two doormen were sentenced to a fine of DKK 1,000 each for refusing to admit persons to a discotheque on the basis of their colour;

- By judgement of the Copenhagen City Court of 4 August 2000, a doorman was sentenced to a fine of DKK 2,000 for refusing in two cases to admit persons to a discotheque on the basis of these persons' ethnic origin. The judgement has been appealed.

89. In one case the accused was acquitted. The public prosecutor has appealed to the High Court.

90. During the period under review, a total of 14 cases have been concluded without prosecution.

Article 6

Establishment of a special complaints body

91. As mentioned above under article 5 (e) (i), on 29 June 2000, the European Union adopted a Directive implementing the principle of equal treatment between persons irrespective of race or ethnic origin. The Directive lays down a series of framework provisions prohibiting direct and indirect discrimination on the basis of race or ethnic origin within various fields of society. The Directive also ensures the victims of discrimination a basic minimum of legal protection. In that context, the Directive prescribes that member States must establish a body for the promotion of equal treatment, charged with assisting victims of discrimination in having their complaints of discrimination considered, conducting independent surveys and publishing reports and making recommendations on issues relating to discrimination.

92. Member States now have three years to implement the Directive in national law. For the purpose of implementation of the Directive in Danish law, it has been decided to appoint a committee to consider how the body for the promotion of equal treatment prescribed in the Directive can most suitably be established in Denmark.

Criminal cases concerning differential treatment in the labour market

93. Since Denmark's fourteenth report, the Danish courts of law have dealt with four cases of ethnic discrimination in the labour market. One case was about the wearing of religious headscarves of trainees in a department store. The case was decided in a way that the expulsion of a trainee wishing to wear a scarf due to her religious belief was regarded as indirect discrimination.

94. In a case in Copenhagen, a shopping and entertainment centre has accepted a fine of DKK 3,000 for having stated in an Internet advertisement of a vacant job that a person of Danish nationality was wanted for employment as a service assistant.

Follow-up on Danish communications

Communication No. 10/1997, Ziad Ben Ahmed Habassi v. Denmark *(CERD/C/54/D/10/1997)*

95. The case is mentioned in Denmark's fourteenth report (paras. 262-263).

96. The Danish Government previously informed the Committee by note of 27 May 1999 how Denmark has followed up on the Committee's opinion in the case. As mentioned in that connection, the Danish Government requested the Ministry of Economic Affairs to inform Danish banks of the Committee's opinion and to draw the banks' attention to the fact that the banks' lending policies must respect the Convention.

97. The Ministry of Economic Affairs in May 1999 discussed the Committee's opinion with the Danish Bankers' Association (Finansrådet). The Association subsequently issued a letter of direction on 16 June 1999 to all banks in Denmark. The letter quotes the Committee's opinion, and it is pointed out that it follows from the opinion that the banks' lending policies must respect the Convention; it is also noted that the opinion confirms that a loan may not be refused solely on the basis of nationality.

98. Furthermore, in November 1999 the Consumer Ombudsman under the National Consumer Agency of Denmark (Forbrugerstyrelsen) issued a letter to business and consumer organizations, etc. giving an account of the Committee's opinion and recommending that Danish lenders act in accordance with the Committee's recommendations in connection with the credit rating of a loan applicant.

Communication No. 17/1999, B.J. v. Denmark *(CERD/C/56/D/17/1999)*

99. In this case, the applicant claims that, contrary to article 6 of the Convention, he did not obtain effective satisfaction and reparation on the occasion of the racial discrimination to which he was exposed. In that connection the applicant refers to the fact that he was not awarded damages for the injury to his feelings pursuant to section 26 of the Danish Act on Liability in Damages (erstatningsansvarsloven).

100. The Committee dismissed the applicant's claim. However, in paragraph 7 of its opinion, the Committee recommended that Denmark take the measures necessary to ensure that victims of racial discrimination seeking just and adequate reparation or satisfaction in accordance with article 6 of the Convention, including economic compensation, will have their claims considered with due respect for situations where the discrimination has not resulted in any physical damage but humiliation or similar suffering.

101. In the light of the Committee's recommendations, the Ministry of Justice informed relevant authorities of the Committee's recommendations. Thus, the Danish Court Administration (Domstolsstyrelsen), the Danish Association of Judges (Den Danske Dommerforening), the Director of Public Prosecutions, the General Council of the Bar (Advokatrådet), and the Association of Assigned Counsel in Copenhagen (Foreningen af

beskikkede advokater i København) and others have been informed. In this connection, the Ministry of Justice particularly drew the attention of the authorities to the practical effect of the Committee's recommendation, viz. that the courts in particular should interpret and apply section 26 of the Act on Liability in Damages in the light of article 6 of the Convention.

Communication No. 16/1999, Kashif Ahmad v. Denmark *(CERD/C/56/D/16/1999)*

102. Denmark informed the Committee by note of 22 August 2000 how Denmark followed up on the Committee's opinion in the case.

Article 7

Activities in connection with the International Year for Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the World Conference

103. As mentioned in Denmark's fourteenth periodic report, the Ministry of the Interior is responsible for several appropriations that can provide grants for purposes promoting integration.

104. The Ministry of the Interior has also set aside an appropriation of DKK 3 million per year in 2000 and 2001 for activities in connection with Denmark's preparations for the World Conference on Racism, Racial Discrimination, Xenophobia and Related Intolerance, and a series of initiatives have been launched on the occasion of the International Year, for Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance in 2001.

105. Together with the Danish Ministry of the Interior, the Danish United Nations Association (FN-forbundet), which has undertaken to coordinate the Danish NGO action in connection with the year, has prepared a catalogue of ideas with suggestions for activities and campaigns. It is contemplated that the various projects and campaigns will be carried out by organizations with special expertise within either a special target group or a special theme. The purpose of the campaign is to engage associations and organizations in the work against racism, including organizations and others that do not normally deal with racism. Another intention is to ensure a link between international and national events.

106. It is a common objective of the activities to ensure that there is broad popular awareness of the phenomenon of racism as a problem; to obtain commitment in the entire population; to ensure that children and young people are given priority as a special target group; and that the debate on aliens in Denmark is influenced in a constructive direction.

Education and training of the police

107. In paragraph 14 of its concluding observations on Denmark's fourteenth periodic report (CERD/C/304/Add.93) the Committee recommended that even further action be taken to ensure that the provisions of the Convention are more widely disseminated.

108. In this connection, it can be stated that the Convention and its individual provisions are included generally in the basic and further training at the Danish Police Academy (Politiskolen) on international human rights and in connection with lessons on section 266 b of the Criminal Code.

109. In connection with the three-year programme of the Council of Europe, "Police and Human Rights 1997-2000", which is mentioned in Denmark's fourteenth report (para. 270), the Danish Centre for Human Rights (Det Danske Center for Menneskerettigheder) cooperated with the Danish Police Academy and the Council of Europe on producing and financing a video on police and human rights entitled "Let's Be Careful Out There". The video gives an insight into the importance of human rights to police work in Europe. The video is designed as a discussion documentary, giving concrete examples and viewpoints from several European police officers. The video can be used both in classes about police and human rights and as a presentation at courses and conferences. The video, which has been produced in several different languages, including Danish, is at present being issued by the Council of Europe.

110. Furthermore, in connection with the programme of the Council of Europe, "Police and Human Rights 1997-2000", Denmark provided police expertise and financial support for a working group which recently concluded its preparation of the guide "Policing in a Democratic Society - Is Your Police Service Human Rights Champion?" The guide is expected to be published shortly and will be incorporated in the training given by the Police Academy.

111. The manual of the Council of Europe "Human Rights and the Police - A Reference Brochure on Human Rights for Good Police Practice" of 1998 has been translated into Danish and will shortly be incorporated in the basic and further training of the Police Academy on police and human rights. In a systematic and transparent way the manual deals with the importance of a number of human rights central to the planning and execution of everyday police work at all levels.

112. As from August 2000, the Police Academy has reorganized the compulsory further training of police officers, and human rights were given a more prominent place.

Recruitment of ethnic minorities for the police

113. The multi-year agreement for police activities for 2000-2003 lays down that the police must ensure that recruitment to the police force reflects the developments in society so that a broad and diverse recruiting basis is aimed at, including various ethnic minorities and educational competencies, etc.

114. In 2000, the Danish National Commissioner of Police received "STAFET 2000", an instruction from the Board for Ethnic Equality (Nævnet for Etnisk Ligestilling) which involves an obligation to make extraordinary efforts to attract young people from other ethnic backgrounds to the police and contribute to the fight against racial discrimination. In that connection, the National Commissioner of Police launched a series of activities in nine police districts having large ethnic minority communities for the purpose of making citizens from these communities seek employment with the police. The activities include open-house arrangements, theme days and information on police work. As part of these activities, lessons have been given

on citizens' rights and duties vis-à-vis the police at various schools, including private Muslim schools, and certain police districts have given employees basic training in Arabic, in particular, to facilitate communications with people of another ethnic background.

115. In this connection it can be stated that out of 208 pupils who started their training at the Danish Police Academy on 1 December 2000, 10 pupils had another ethnic background than Danish.

Recruitment of ethnic minorities among prison officers

116 As part of its efforts to integrate ethnic minorities in the labour market, the Staff Training Centre of the Danish Prison and Probation Service (Kriminalforsorgens Uddannelsescenter) has initiated a project called "Increased recruitment of prison officers of a multicultural background".

117. The aim of the project is to increase recruitment of staff of a multicultural background through special employment initiatives, assistance from an external equal opportunities consultant and the setting up of a special preparatory school for persons of other ethnic backgrounds who want to train as prison officers.

118. The purpose of the preparatory school is to upgrade the participants' skills in Danish, computers and knowledge of the Danish society, etc. in order to improve their chances of passing the employment test for prison officers and thus continuing with the basic prison officer training of the Prison and Probation Service (Kriminalforsorgen).

119. A further aim of the project is that within the next decade or so the composition of the staff of the Prison and Probation Service will reflect the composition of the population of the Danish society.

120. As from the beginning of November 2000 and the subsequent seven months, the first group of participants of other ethnic backgrounds will participate in the preparatory school project mentioned above at the Staff Training Centre of the Danish Prison and Probation Service.

Recruitment of ethnic minorities for the judiciary

121. In accordance with circular No. 142 of 31 July 2000 on the drafting of advertisements of vacant positions issued by the Danish Ministry of Finance, the Court Administration has amended the wording of all advertisements so that persons of other ethnic origins are now encouraged to apply for jobs with the Court Administration and the courts. The Court Administration is also working on preparing a series of courses in administrative case work for managerial staff at the courts. One course subject will be recruitment of ethnic minorities. The reason for this is that a large part of the administrative staff of the courts is recruited by the individual courts.

122. Moreover, the Court Administration is preparing a series of seminars to be held for judges on the conduct of trials with parties of another ethnic background than Danish.

Article 14

123. In paragraph 14 of its concluding observations concerning Denmark's fourteenth periodic report (CERD/C/304/Add.93), the Committee recommended that Denmark increase the knowledge of the individual right to lodge communications under article 14 of the Convention.

124. In this connection, it can be mentioned that the Ministry of the Interior granted financial support to a Danish NGO in the autumn of 2000 for the publication of a special brochure that is to give information on the individual right to lodge communications.

III. REPORTING ON GREENLAND

Part I

125. Reference is made to Denmark's fourteenth periodic report (CERD/C/362/Add.1, paras. 303-365), concerning Greenland.

126. As mentioned in paragraph 312 of the report, legal action was taken in 1996 against the Prime Minister's Office and a lawsuit was pending before the Danish High Court.

127. On 20 August 1999, the Danish Eastern High Court handed down a judgement in the case which a group of citizens and 598 individual plaintiffs had brought against the Prime Minister's Office on the occasion of the construction of Thule Air Base and the transfer in 1953 of the part of the population living near the base at the Uummannaq settlement. The State was not found liable in the territorial demands concerning the base area, given that Thule Air Base had been constructed in accordance both with international and State law. The State was found liable to pay compensation for lost hunting rights to the citizens as a group and to pay an indemnification to each of the plaintiffs affected by the transfer of the population.

128. The plaintiffs decided to appeal against the judgement to the Danish Supreme Court, where the case is currently pending. The case will probably be decided during 2001.

129. In paragraph 13 of its concluding observations (CERD/C/304/Add.93) the Committee recommended the rapid translation of the Convention into the Greenlandic language. Shortly after the Committee's meeting, on 23 March 2000, the Convention was translated to Greenlandic and distributed to the Greenland Home Rule Authorities. The Convention is further published in "The Greenland Code"/Nalunaarutit/Grønlandsk Lovsamling in Greenlandic and Danish.

Part II

Article 1

130. As of 1 January 1999, the total population of Greenland amounted to 56,087 persons, of whom 49,281 were born in Greenland and 6,806 were born outside of Greenland, that is 12.1 per cent of the total population.

131. After the parliamentary elections on 16 February 1999, a new coalition Government was formed between Siumut (i.e. Social Democratic Party) and Inuit Ataqatigiit (i.e. Socialist). One of the initiatives by the new Government has been the establishment of a Commission on Self-Government, which is to deliver a report on the possibilities of developing increased autonomy within the Danish Realm, based upon the principle that there shall be a correspondence between rights and responsibilities.

132. The principal task of the Commission is to describe the current constitutional position of Greenland - including issues of authority and delegation between the Danish State and Greenland Home Rule - and to identify and describe alternative scenarios within the framework of the Danish Realm that will meet to a greater extent the wish for expanded autonomy since the introduction of Home Rule two decades ago. The strategy is to address the contemporary challenge of completing the transfer of internal affairs to Greenland Home Rule while accommodating the increasing awareness of the role of Greenland in international affairs, in particular when it comes to Danish foreign and security policy affairs.

133. In general terms, the Commission shall review and describe jurisdictional powers where Greenland Home Rule has taken over authority, and other areas in which the Danish State still has authority, including areas where authority is divided in various ways between Greenland and Denmark.

134. In this context, the Commission shall consider the possibilities of transferring all or part of the administration of justice to Greenland Home Rule based upon the upcoming report of the Greenland Law Reform Commission.

135. The role of the Commission on Self-Government provides an opportunity to review the Home Rule Act of 1978 in the light of the overall political, economic, social, cultural and demographic development during the last two decades. The Commission will therefore submit proposals on amendments to the Home Rule Act, which will include authorization acts and amendments of agreements on management and basic agreements between the Danish State and Greenland Home Rule on the identified areas. The Commission is expected to complete its work and submit a report by the Cabinet to the Greenland Legislative Assembly for parliamentary proceedings by 2002.

Re article 5 (e) (ii)

136. Collective agreements applying to all of Greenland have been made with 35 labour organizations, most of which are based in Greenland. One of the major labour organizations - the National Federation of Civil Servants - has since been dissolved and reorganized as four independent organizations; the health-care sector employees organization, the administrative and specialist teachers organization, the administrative managers and academic instructors organization and the public school teachers organization, respectively.

Re article 5 (e) (iii)

137. The construction of publicly financed housing is governed by Greenland Parliament Regulation (GPR) No. 1 of 9 April 1992, concerning subsidies for the construction of housing,

and by GPR No. 1 of 31 October 1991 concerning cooperative housing. Furthermore, in accordance with the Private Housing Construction Act, GPR No. 4 of 30 October 1998, private individuals can obtain up to 40 per cent of the total construction costs as an interest-free 15-year governmental and municipal standing loan. The pay-back period of the standing loan is 10 years. The individuals must provide 10 per cent of the total cost out of savings, together with a letter stating that the remaining 50 per cent can be obtained from a bank or a mortgage institution. The rental of dwellings is subject to GPR No. 3 of 13 June 1994 concerning the rental of dwellings.

Re. article 5 (e) (iv)

138. GPR No. 8 of 30 October 1992, as revised on 6 November 1997, concerning health services, etc. This regulation establishes the overall guidelines for health services in Greenland and describes the services offered to citizens. The legislation also includes rules on the authorization of health sector personnel, rules concerning job areas to be covered by health staff and rules concerning vaccination, medicine and transport to hospitals.

139. GPR No. 7 of 30 October 1992, as revised on 23 May 2000, concerning the management and organization of the health sector contains overall guidelines for the organization and structure of the health sector including parliamentary monitoring of the sector. The legislation comprises rules on the division of the country into districts and the functions to be carried out by hospitals. In addition, rules have been laid down concerning district health boards, including a number of rules on preventive measures.

140. The Ministry of Health and Environment, in cooperation with the Danish Ministry of Health, is currently in the process of reforming the legislation regarding health-care services.

Article 7

Teaching and education

141. The rules concerning primary education in Greenland are comparable to those applying to Danish public schools.

142. Primary education in Greenland is governed by GPR No. 1 of 6 June 1997. Language integration in primary and lower secondary education is compulsory for all students, the purpose being to integrate students having Greenlandic as their mother tongue and those having Danish as their mother tongue in one class, whereas in the past they were divided according to their first language. The aim of this policy is to integrate the Danish students with the Greenlandic students in terms of language, culture and social status.

143. In Greenland, secondary education mainly means vocational training and education, governed by legislation, including GPR No. 2 of 31 May 1999. Vocational training and education is available to all individuals who meet the stipulated requirements for admission, who have been residents of Greenland or have had permanent residency in Greenland for at least 10 years, and who have not been residents outside Greenland for more than 3 years.

144. The financial aspect of this policy is the right to study grants. According to GPR No. 3 of 2 May 1996, the following requirements must be fulfilled in order to obtain study grants: (a) Danish citizenship; (b) permanent residency in Greenland at the time of application and residency in Greenland for at least 10 years with no more than 3 years spent outside Greenland. At present, study grants are provided for all types of education listed in the reference guide Sunngu. However, the Ministry for Cultural Affairs, Education, Research and Ecclesiastical Affairs may decide that other types of education are eligible for study grants as well. In addition, grants may be provided for continued education, i.e. the general school-leaving education (FSA), the advanced school-leaving examination (FSUA) and the grammar school (GU).

Culture

145. As a bilingual society, the peaceful co-existence of both official languages is of mutual benefit. In consequence, a Language Secretariat was established in 1999. The primary function of the body is to document and register all written and spoken Greenlandic. However, another function is to monitor the official languages in order to secure equity.

Broadcasting

146. Kalaallit Nunaata Radioa (KNR) is an independent public service entitled and obliged to broadcast nation-wide radio and television programmes, including news. In addition to KNR, a number of community radio and television stations have been established.

147. The media are governed by GPR No. 3 of 17 May 1990. An Accountability Law came into force in 1997.

Knowledge of the Convention

148. The translation of the Convention into Greenlandic was completed in March 2000 and published in "The Greenland Code"/Nalunaarutit in Greenlandic and Danish, which is available to the public.

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION

Fifteenth periodic reports of States parties due in 2001

Addendum

SENEGAL*

[21 May 2001]

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* This report contains in a single document the eleventh, twelfth, thirteenth, fourteenth and fifteenth periodic reports of the Republic of Senegal due on 19 May 1993, 1995, 1997, 1999 and 2001 respectively. For the ninth and tenth periodic reports of Senegal, contained in a single document, and the summary records of the Committee's meetings at which the reports were considered, see: CERD/C/209/Add.7 and CERD/C/SR.1046 and 1047.

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Introduction

1. This report, which has been prepared in conformity with article 9 of the International Convention on the Elimination of All Forms of Racial Discrimination, contains the eleventh, twelfth, thirteenth, fourteenth and fifteenth periodic reports of Senegal. In the report, Senegal describes the national measures taken to implement the Convention and replies to the concerns and recommendations expressed by the Committee on the Elimination of Racial Discrimination following the submission of Senegal's previous report.

2. Like all States parties to the Convention, Senegal has undertaken to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races.

3. However, long before its accession, in the early years of independence, Senegal put in place ample legislation to combat racial, ethnic and regional prejudices.

4. According to the Constitution of 7 March 1963, for example, "The people of Senegal declare their commitment to the fundamental rights defined in the 1789 Declaration of the Rights of Man and of Citizens and in the Universal Declaration of Human Rights of 10 December 1948".

5. This commitment is embodied in article 1 of the Constitution, which establishes that all citizens are equal before the law, without distinction as to origin, race, sex or religion; and article 4, which prohibits all forms of racial, ethnic and religious discrimination and all regionalist propaganda that might constitute a threat to the internal security of the State or the integrity of the Republic.

6. The preamble to the new Constitution that was adopted by referendum on 7 January 2001 proclaims:

> "The accession of the people of Senegal to the 1789 Declaration of the Rights of Man and of Citizens and to the international instruments adopted by the United Nations and the Organization of African Unity (OAU), and in particular the Universal Declaration of Human Rights of 10 December 1948, the Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979, the Convention on the Rights of the Child of 20 November 1989 and the African Charter of Human and Peoples' Rights of 27 June 1981."

7. As a State party to the International Convention on the Elimination of All Forms of Racial Discrimination of 21 December 1965, Senegal took steps, as soon as it ratified the Convention in 1972, to incorporate it into its domestic legal system and to implement it.

I. INCORPORATION OF THE CONVENTION INTO THE DOMESTIC LEGAL SYSTEM

8. Treaties are incorporated into the domestic legal system upon publication in the Journal Officiel, subject to their "ratification" by the President by virtue of the authority vested in him under the law.

9. Thus, by decree No. 72-992 of 26 July 1972, and pursuant to the Ratification Act (No. 72-10) of 1 February 1972, the President ordered the publication in the Journal Officiel of the International Convention on the Elimination of All Forms of Racial Discrimination, adopted by the General Assembly in resolution 2106 A (XX) of 21 December 1965.

10. By this procedure, the Convention was incorporated into the domestic legal order, with precedence over national legislation (Constitution, art. 98). Like the Constitution and the law and regulations, the Convention now forms part of the corpus of Senegal's domestic legislation, which State bodies are obliged to implement, as follows:

(a) Non-judicial authorities must take the necessary steps to implement those provisions of the Convention that are not self-executing, i.e. whose implementation requires supplementary measures to be taken;

(b) Judicial authorities must apply the provisions of the Convention as required in cases that are brought before them.

II. IMPLEMENTATION OF THE CONVENTION

11. Several provisions of the Convention either refer to the general obligation to take the necessary steps to implement the Convention or deal with specific aspects of that obligation. The obligation derives from States parties' undertaking to pursue by all appropriate means a policy of eliminating racial discrimination in all its forms and promoting understanding among all races.

12. In compliance with the fundamental obligations as described in article 2 of the Convention, therefore, Senegal has taken the necessary legislative measures (Act No. 81-77 of 10 December 1981) to define and punish racial discrimination in accordance with articles 1, 4 and 5. Other measures have been taken to implement articles 6 and 7, and will be described below.

A. Legislative measures

1. Implementation of article 1: definition of racial discrimination

13. In the Convention, the term "racial discrimination" means:

> "any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life".

14. This definition is used in article 3 of Act No. 81-77, subsequently article 283 bis of the Criminal Code, and has been extended by the addition of the term "religious discrimination". The scope of application of the Convention has thus been extended to cover discrimination on

religious grounds. In fact, this is no innovation, since the 1963 Constitution also prohibited all discrimination on grounds of religion. The legislature no doubt took this precaution because of the influence of religious considerations in political alignments.

15. For example, in 1948 Léopold Sédar Senghor broke away from Lamine Guèye's French Section of Workers International (SFIO) to form the Senegalese Democratic Bloc (BDS), and although his reasons for doing so were quite unconnected with religion, it is a historical fact that he promptly received the support of Senegalese Christians within SFIO: the Guillaberts in Saint-Louis, the Legrands in Diourbel, the James in Kaolack and the Carvalhos in Ziguinchor.

16. As one prominent Senegalese has rightly said, "A multi-ethnic society with an added religious dimension can never be completely free of contradictions". The extension of the Convention to cover discrimination on grounds of religion was therefore a precautionary measure.

17. Senegal is a secular, democratic State and its legislation does not favour any racial, ethnic or religious groups, or any particular individuals. There is no advantage or disadvantage by reason of place of birth, person or family.

18. No section of the population and no individual can assume sovereignty. Under article 3 of the Constitution, "National sovereignty belongs to the people, and is exercised by the people through its representatives or by referendum".

19. Thus all forms of discrimination are unequivocally condemned and, under article 5 of the Constitution, "any act of racial, ethnic or religious discrimination and any regionalist propaganda prejudicial to the internal security of the State or to the integrity of the territory of the Republic" shall be punishable by law.

20. Similarly, political parties or coalitions of political parties competing in elections are prohibited from identifying with a particular race, ethnic group, sex, religion, sect, language or region.

21. In pursuance of these provisions of the Constitution, and to give effect to article 4 of the Convention, Senegal has adopted a number of important legislative measures, as described below.

2. Implementation of article 4

22. Article 4 of the Convention deals with the specific aspects of the general obligation of implementation by all necessary means, and in particular, to punish the undertaking, in accordance with paragraphs (a), (b) and (c):

(a) All dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

(b) Organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination (and to recognize participation in such organizations or activities as an offence punishable by law);

(c) Any public authorities or public institutions, national or local, that promote or incite racial discrimination.

23. The implementation of these provisions required the drafting and promulgation of several pieces of legislation, including:

(a) Act No. 79-02 of 4 January 1979 repealing and replacing article 814, paragraphs 2 and 3, of the Code of Civil and Commercial Obligations, and article 2 of Act No. 68-08 of 26 March 1968 amending title VI, chapter II, of the Code of Civil and Commercial Obligations relating to associations and prohibiting the establishment of illegal associations;

(b) Act No. 79-03 of 4 January 1979 repealing and replacing article 5, paragraph 1, of Act No. 65-40 of 22 May 1965 on seditious associations;

(c) Act No. 81-17 of 15 May 1981, relating to political parties;

(d) Act No. 81-77 of 10 December 1981, relating to the punishment of acts of racial, ethnic or religious discrimination.

24. Acts Nos. 79-02, 79-03 and 81-17, all of which deal with the legal framework of associations and political groupings, prohibit all discrimination, in respect of admission to such an association, on grounds of race, sex, religion except as regards exclusively religious associations or political opinion except as regards political parties and associated groups.

25. These Acts also provide as follows:

(1) "Anyone who establishes or attempts to establish an association without registering it or without prior authorization as appropriate, or who attempts to re-establish an association dissolved by court order or by a government authority in accordance with article 816 of the Code of Civil and Commercial Obligations, shall be liable to a fine of between 200,000 and 300,000 francs and a prison sentence of between one month and one year, or either of these two penalties, without prejudice to any more severe penalty imposed under other legislation.

"The sentence shall include suspension of the civil rights listed in article 34 of the Criminal Code."

(2) "Anyone involved in direct or indirect support for or re-establishment of any association or group dissolved on grounds of sedition shall be liable to a prison sentence of between six months and two years and a fine of between 100,000 and 300,000 francs" (Act No. 79-03, sole article).

26. As regards propaganda activities, Act No. 81-77 extends article 1 of Act No. 65-40 of 22 May 1965 on seditious organizations, by inserting the following new paragraph 5:

"Whose activities are wholly or partly intended for the practice of racial, ethnic or religious discrimination or incitement to such discrimination."

27. In addition, Act No. 81-77 makes the acts described in article 4, subparagraphs (a), (b) and (c), of the Convention criminal offences.

28. Similarly, new provisions have been inserted into the Criminal Code, in articles 166 bis, 256 bis and 257 bis.

"Article 166 bis. Any administrative or judicial official, elected official or official of a public authority, or any official or employee of the State, public institutions, national corporations, public-private corporations or corporations receiving financial support from the Government, who denies any natural or legal person the exercise of a right without just cause on grounds of racial, ethnic or religious discrimination shall be liable to a prison sentence of between three months and two years and a fine of between 10,000 and 2 million francs."

"Article 256 bis. The same penalties as those provided in article 56 (one month to two years and a fine of 250,000 to 300,000 francs) shall apply to anyone who publicly posts, displays or projects, offers, even free of charge or in private, in any form whatsoever, directly or indirectly; or distributes or issues for distribution by any means whatsoever, any object or image, printed matter, written matter, speeches, posters, engravings, paintings, photographs, films or slides, photographic catalogues or reproductions, or emblems intended to proclaim racial superiority or arouse a feeling of racial superiority or racial hatred, or constituting incitement to racial, ethnic or religious discrimination."

29. In addition, with regard to racial discrimination, Act No. 81-77 increased the penalties for some offences, either by strengthening the existing penalties or by adding further penalties.

30. Articles 277, 278, 281, 295 and article 296, paragraph 2, of the Criminal Code have thus been repealed and replaced by the following provisions:

(a) Offences committed by any public broadcasting medium

"Article 277. In the event of conviction, the sentence may include, in cases covered by articles 250, 251, 252, 254, 255, 256 bis, 259, 260, 261, paragraph 2, 265 and 266, confiscation of all the publishing equipment seized and, in all cases, the seizure and suppression or destruction of all copies of the publication.

"However, suppression or destruction may be applied only to a certain number of the copies seized."

"Article 278. In the event of a conviction pursuant to articles 250, 251, 252, 254, 255, 256 bis, 259, 260, 261, paragraph 2, 265 and 266, suspension of the newspaper or periodical for a period not exceeding three months may be ordered by the same judicial decision.

"Such suspension shall not affect any work contracts by which the publisher is bound; the publisher shall continue to be bound by all contractual or legal obligations arising therefrom."

(b) Violence

"Article 281. Any killing of a person committed with premeditation or felonious intent or by reason of racial, ethnic or religious discrimination is classed as murder."

"Article 295. In cases where wounding, beating or any other violent act is committed with premeditation or felonious intent, or where the act has been committed by reason of racial, ethnic or religious discrimination, the penalty shall be increased as follows:

Between 5 and 10 years' imprisonment in the following cases covered by article 294, paragraph 2 (deliberate beating or wounding resulting in illness or total incapacity for work lasting more than 21 days);

Between 10 and 20 years of hard labour in the following cases covered by article 294, paragraph 2 (violence resulting in death, mutilation, amputation or loss of the use of a limb, blindness, loss of one eye or other permanent injury)."

"Article 296, paragraph 2. In cases of premeditation or felonious intent, or when the offence is committed by reason of racial, ethnic or religious discrimination, the prison sentence shall be between two and five years and the fine between 50,000 and 200,000 francs."

31. These provisions defining and punishing all acts of racial discrimination, pursuant to article 4 of the Convention, have been reinforced by measures aimed at guaranteeing every individual's right to equality before the law without distinction as to race, colour or national or ethnic origin, as required under article 5 of the Convention.

3. Implementation of article 5

32. Ever since independence, Senegal has taken steps to terminate any policy that may have the effect of causing or perpetuating racism or inequality. This objective was formalized in the obligation placed on the State, in article 1 of the 1963 Constitution, "to safeguard the equality before the law of all citizens without distinction as to origin, race, sex or religion", and now in the following provisions of article 8 of the Constitution of 22 January 2001:

"The Republic of Senegal shall guarantee to all citizens fundamental freedoms, economic and social rights, and collective rights. These rights and freedoms include: civil and political rights (freedom of opinion, freedom of expression, freedom of the press, freedom of association and freedom to demonstrate); cultural rights; religious rights; philosophical rights; trade union rights; the right of free enterprise; the right to education; the right to literacy; the right to own property; the right to work; the right to health; the right to a healthy environment; and the right to diversity of information."

33. Several provisions of the new Constitution expressly establish or reaffirm women's rights to equal treatment under the law. Articles 15, paragraph 2, and 19, for example, establish women's rights: (a) to purchase and own land; and (b) to own assets in their own right and personally manage their property.

34. Article 25 prohibits "any discrimination between men and women in respect of employment, pay or taxation".

35. In the area of legislative measures, one characteristic of Senegal's policy has been its continuity.

36. Even before ratification of the Convention, steps had been taken to ensure equal treatment for all before the law. In order to establish equal treatment before the courts, Ordinance No. 60-14 of 3 September 1960 restored women's rights; until then, the customary courts had favoured men when judging family disputes. With the unification of the various judicial regimes, the law is now the same for all and is applied without distinction as to sex.

37. In the area of nationality, according to Act No. 61-10 of 7 March 1961, as amended by Act No. 89-42 of 26 December 1989, on the determination of Senegalese nationality:

"Senegalese nationality may be chosen at any time between the ages of 18 and 25 by:

(1) A legitimate child of a Senegalese mother and a foreign father;

(2) An illegitimate child, when the parent to whom filiation is established second is Senegalese and the other parent is of foreign nationality."

38. A foreign woman who marries a Senegalese man may take Senegalese nationality, unless she explicitly states at the time of the marriage that she does not wish to do so. Conversely, a Senegalese woman who marries a foreigner does not lose her nationality, unless she explicitly renounces it before the marriage. Such renunciation is valid only if she is able to take the nationality of her future husband.

39. In the area of employment, Act No. 61-33 of 16 June 1961, containing the General Civil Service Statute, and Act No. 59-64 of 6 November 1959, containing the Labour Code, each stipulate that these laws shall be applied with no distinction between men and women.

40. Similarly, divorce by mutual consent was instituted under Act No. 72-61 (Family Code) of 12 June 1972, thereby placing men and women on an equal footing. The same Act prohibited repudiation, which in Muslim law was a privilege of the husband, and in fact made it a ground for divorce as constituting a serious insult to the wife.

41. After the Convention was ratified, further reforms were introduced in all areas.

42. In criminal law, for example, under Act No. 77-33 of 22 February 1977, amending the Criminal Code, article 332 defining and punishing the offence of abandoning the marital home was repealed, as it was considered to discriminate against the wife. The choice of marital home had previously been a prerogative of the husband, and the provisions of article 332 appeared not to apply to him. The offence of abandoning the home was therefore abolished and replaced by the more neutral offence of abandoning the family.

43. In the area of family law, Act No. 89-01 of 17 January 1989 amended or repealed the provisions of the Family Code that appeared to discriminate against women.

44. Article 371, paragraph 1, for example, was amended to read as follows: "The wife, like the husband, enjoys full civil capacity". This entailed the repeal of article 13, which established that the wife's domicile was the domicile chosen by the husband.

45. Article 154, which allowed a husband to object to his wife pursuing her own occupation, was also repealed.

46. Article 19 was amended to enable the wife to administer her husband's property temporarily in his absence. The article provides that, "on receipt of a request for a certificate of absence, the court shall appoint a temporary administrator of the property, who may be the spouse who has remained in the home ...".

47. Lastly, article 80, which provided that the family record book should be issued to the husband only, was also amended by the following addition: "and a copy of the family record book shall be given to the wife at the time of the marriage".

48. Like the provisions of the Convention, these associated provisions may be invoked in Senegalese courts, which may apply them if necessary in order to resolve disputes that come before them.

B. Judicial measures

49. Under article 98 of the Constitution, for a treaty to be executable within Senegal's domestic legal system, it must be published after ratification or approval. Once this formality has been completed, there is no judicial impediment to execution of the convention by the Senegalese courts, where such execution does not require supplementary measures to be taken or any necessary supplementary measures have already been taken.

50. With the entry into force in January 1984 of the above-mentioned Act No. 81-77, implementing articles 1, 4 and 5 of the Convention, any person within Senegalese jurisdiction may apply to the courts for satisfaction or reparation for any harm he may have suffered as a result of acts of racial discrimination that contravene the Convention and violate his individual rights and fundamental freedoms. If he is not given a hearing, he may apply to the Committee on the Elimination of Racial Discrimination, in accordance with Senegal's declaration under article 14 of the Convention.

51. No cases of racial discrimination appear to have come before either the Committee or the domestic courts. Senegal has nevertheless continued to strengthen its legal framework for the protection of individual rights.

52. Thus, in a series of legislative measures, inter alia Acts Nos. 85-25 of 27 February 1985 and 99-06 of 29 January 1999, effective remedies have been established to enable any person held in police custody during a preliminary inquiry to report all violations of his individual rights and fundamental freedoms. A suspect in police custody may apply to the public prosecutor via the criminal investigation officer, through any person or through his counsel, for a medical examination at any time during the period of custody. According to the law (Code of Criminal Procedure, art. 56, para. 2), the prosecutor must order such an examination. In the event of an extension of the period of custody, the detainee may also request the assistance of counsel from the bar association roster or a trainee lawyer. The lawyer appointed may communicate with the detainee under conditions which guarantee confidentiality, including by telephone or any other means of communication, if he cannot visit the detainee in person within a reasonable time.

53. The record of the hearing must make mention of the information provided and requests made under the aforementioned provisions, and of action taken, on pain of nullity.

54. The public right to bring criminal proceedings, which is initiated and exercised by the magistrates or officials authorized to do so under the law, may also be initiated by the injured party. Under article 2 of the Code of Criminal Procedure, "a criminal indemnity action to obtain compensation is available to anyone who has personally suffered harm as a direct result of the offence".

55. Senegal has thus made every effort to ensure that the Convention is implemented in all respects by the organs of the State. This implementation is monitored by the non-governmental human rights organizations (NGOs) and State institutions established for that purpose.

C. Institutional measures

56. In order to improve compliance with its international human rights commitments, the Senegalese Government has gradually created an institutional framework for the promotion and protection of human rights and humanitarian law. The following institutions have thus been established.

1. The Senegalese Human Rights Committee

57. The Senegalese Human Rights Committee was created in 1970 to replace the National Human Rights Commission. Its purpose is to help strengthen democracy in accordance with the principles and ideals proclaimed by the Universal Declaration of Human Rights.

58. The Senegalese authorities have established statutory guarantees for the Senegalese Human Rights Committee, in compliance with General Assembly resolution 48/134 on national institutions for the promotion and protection of human rights, adopted at its forty-eighth session on 20 December 1993, and with the declaration made at the first African Conference of National Human Rights Institutions, held at Yaoundé from 5 to 7 February 1996.

59. Act No. 97-04 of 10 March 1997, which was adopted to that end, reinforced the Committee's composition and independence and extended its spheres of competence.

60. The Committee is an independent body whose task is to represent the various trends in public opinion on human rights in Senegal. It is therefore made up of representatives of NGOs, the National Assembly, the highest courts, the bar and the universities. Representatives of the State sit on the Committee in a consultative capacity.

61. The Committee is responsible for promoting human rights through information campaigns and advocacy, and monitors implementation and observance of the human rights conventions.

62. As a consultative and coordinating body, it may, at the Government's or Parliament's request or on its own initiative, make recommendations concerning any human rights issue to, among others, the Inter-Ministerial Committee on Human Rights and Humanitarian Law.

2. The Inter-Ministerial Committee on Human Rights and International Humanitarian Law

63. Established by Decree No. 97-674 of 2 July 1997, the Inter-Ministerial Committee on Human Rights and International Humanitarian Law is an internal government body whose principal task is to coordinate government action on human rights. Thus it ensures the preparation, submission and presentation of Senegal's various periodic reports, in accordance with the various international human rights instruments.

64. The Inter-Ministerial Committee also ensures that Senegal's legislation is in line with the provisions of the international human rights instruments to which Senegal is a party.

65. In addition, the Committee considers allegations of human rights violations and ensures that the relevant ministerial departments respond appropriately.

66. Major changes will shortly have to be made to the Committee's structure and mandate following the establishment of the Human Rights and Humanitarian Law Office.

3. The Human Rights and Humanitarian Law Office

67. One of the very first decisions taken by the new President after the March 2000 presidential elections was to create a Human Rights and Humanitarian Law Office within the President's Office. The decision was a highly symbolic one and is illustrative of the political will that exists at the highest level of the State to make human rights issues a national priority.

68. According to the draft decree establishing its powers and structure, the Office works with the Inter-Ministerial Commission on Human Rights and International Humanitarian Law to coordinate government action in the area of human rights and international humanitarian law. Within the administration it is the interlocutor of the human rights organizations and assists them in liaising with government departments.

69. As the body responsible for preparing, presenting and following up the periodic reports submitted to the international human rights bodies, the Office ensures compliance with reporting deadlines and implementation by the Administration of the recommendations made following consideration of the reports by these bodies.

70. The Office is also responsible for considering human rights allegations and claims and investigating them with a view to recommending action by the President in the form of directives to the relevant government departments.

71. As part of its task of following-up government action in the area of human rights and humanitarian law, the Office promotes all awareness-raising and training activities for State officials in the area of human rights and international humanitarian law, particularly by means of the publication of brochures and the organization of seminars.

72. Lastly, the Office acts as the permanent secretariat of the Inter-Ministerial Commission on Human Rights and International Humanitarian Law, which is chaired by the Secretary-General of the Government.

4. The Inter-Ministerial Commission on Human Rights and International Humanitarian Law

73. The Inter-Ministerial Commission, which is to replace the Inter-Ministerial Committee on Human Rights and International Humanitarian Law, will provide the framework for government coordination, where ministerial departments will be able to harmonize their views on human rights issues.

74. In the light of opinions submitted by the Senegalese Human Rights Committee, the Commission will discuss the draft periodic reports prepared by the Human Rights and Humanitarian Law Office.

75. It will also be responsible for adjusting current human rights legislation and regulations. In particular, it will promote the teaching of human rights and humanitarian law, in the national languages if necessary, within schools and universities and in the security forces' training schools.

76. No mention has yet been made in this report of measures taken to give effect to article 7 of the Convention. This Article has deliberately been omitted from the preceding part of the report since Senegal intends to deal point by point with the information requested by the Committee on the Elimination of Racial Discrimination and will not evade any question

III. INFORMATION REQUESTED BY THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

77. Following the submission of Senegal's previous report, the Committee expressed the following concerns:

(1) The "lack of adequate information in the report on the measures taken by the State party to implement provisions contained in articles 5, 6 and 7 of the Convention";

(2) The "conflict in the Casamance region, where, despite the signing of agreements between the Government of Senegal and secessionists, violence has reoccurred, taking the form of an ethnic conflict".

78. The Committee also made a number of suggestions and recommendations to the Government of Senegal, including a recommendation to "intensify efforts aimed at finding a durable and peaceful solution to the problems in the Casamance region, with a view to avoiding any further violence and normalizing the situation".

79. In addition the Committee drew the attention of the State party to the amendment to article 8, paragraph 6, of the Convention, which was approved by the Fourteenth Meeting of States Parties and by the General Assembly in its resolution 47/111 of 16 December 1992, and encouraged it to expedite its action formally to accept that amendment.

80. On the first point, namely the lack of adequate information on measures taken to implement the provisions of articles 5, 6 and 7, it must be said that these are major concerns for Senegal, as they are for the Committee. This is demonstrated by the sections of this report devoted to the measures taken by Senegal to give effect to the provisions of articles 5 and 6.

81. Senegal's obligations under article 7 of the Convention are equally a subject of national concern. Indeed, they are one of Senegal's priorities. Under the 1963 Constitution, articles 16 and 17, for example, the State and the public authorities had an obligation to create the conditions and public institutions necessary to guarantee an education for all children.

82. More recently, the 22 January 2001 Constitution provides, in article 22, that:

> "The State has a duty and responsibility to educate and train young people in public schools.
>
> "All children - boys and girls - in every part of the country have the right of access to school" (para. 2).

In the interests of pluralism and diversity, no distinction is made between religious and non-religious institutions and communities, all being given "equal recognition as vehicles for education". Similarly, "all national institutions, private or public, have a duty to make their members literate and to participate in the national literacy drive in one of the national languages".

83. Pursuant to these constitutional obligations, i.e. those contained in the 1963 Constitution, and those contained in Act No. 71-36 of 3 June 1971, which was superseded by and Act No. 91-22 of 16 February 1991 containing guidelines for national education, the Government, in a statement on its general policy, proclaimed elementary education a fundamental right for all children. It undertook to correct the disparities between the sexes and regions and make education universal through mechanisms to increase the school population (ages 7 to 12). To that end, a major social mobilization effort was launched, and included the following events:

(a) National forum on girls' enrolment in school, held in 1995;

(b) Creation of a President's prize for schools with an outstanding record in enrolling girls;

(c) Launch of a girls' school enrolment programme (SCOFI) and establishment of community schools;

(d) Launch of a human resources development programme (PDRH 2) and a UNICEF-assisted project in support of the "New School";

(e) Launch of a support project for women's groups (PAGPF): the education section has established 300 community childcare centres in five regions of Senegal;

(f) Finalization and implementation of the Ten-year Education and Training Programme (1998-2007), which will make it possible to correct geographical imbalances in school enrolment, make better provision for children with disabilities and ultimately achieve the goal of education for all.

84. The desire of the current President to make education a national priority, as stated in the January 2001 Constitution, was recently reaffirmed at the World Economic Forum in Davos. Presenting his development plan for Africa, the OMEGA project, the President noted the failure of the development policies hitherto practised in Africa and funded by foreign aid and external debt, and proposed to his fellow Heads of State a new approach to development based on education and the establishment of infrastructure.

85. For Senegal, then, education is a vector of economic and social development: it receives more than 30 per cent of the State budget. For this reason, under the guidance of the President, who defines State policy, the Government which has emerged from the changeover has launched a far-reaching programme to reform national education and vocational training.

86. The second point raised by the Committee on the Elimination of Racial Discrimination concerned the conflict in the southern region of Senegal and, in particular, "the tension which had manifested itself for some years in the Casamance region". The members of the Committee, suggesting that "inter-ethnic problems were among the most serious and constant causes of massive violations of human rights, discrimination and, in some cases, political oppression in Africa, expressed a desire to know what Senegal was doing to prevent the deterioration of certain inter-ethnic tensions on its territory in general". Therefore, "The Committee would welcome details on the situation in that region and on the measures that the Government was considering taking in order to respond to it and to prevent a similar situation from arising elsewhere".

87. What is happening in Casamance is not an ethnic conflict. The Diola, for example, are not persecuted anywhere in Senegal. For a full understanding of this statement, it is necessary to view Casamance and the Casamance Democratic Forces Movement in the context of Senegal.

88. Each of the regions of Senegal has its own characteristics. Casamance, however, would seem to be a special case in terms both of physical geography and culture.

89. Casamance is as big as Belgium and extends over one seventh of the total area of Senegal. It comprises three natural regions: Haute Casamance to the east, Moyenne Casamance in the centre and Basse Casamance to the west, on the Atlantic coast. The peoples of Casamance are the Peul and the Mandingo, who live in the east and the centre - today the administrative region of Kolda, and the Diola, the Manjak, the Mankagn and the Balante, who share the western region - the administrative region of Ziguinchor.

90. Cut off from the rest of the country by the enclave of Gambia, Casamance is sandwiched between Gambia to the north and Guinea-Bissau to the south, and has only a short border to the east with eastern Senegal. Its geographical position, the legacy of arbitrary colonial borders, has inevitably led to the isolation of the local populations and a feeling of being different, particularly among the people of Basse Casamance, which has no border with any other region of Senegal.

91. This problem, it must be said, is not unique to Casamance. In certain Fouta areas in the north, people have the same attitude. Senegal to them is essentially Dakar and the groundnut basin - the areas served by the railway built during the colonial period.

92. This was the background to the emergence of the first regionalist groups in Senegal, a country that had never known ethnically-based political parties. The Casamance Democratic Forces Movement (MFDC), which opposes centralization and demands that the region should fully exercise its political responsibilities and elect its own local representatives, was formed in Casamance in 1944. The Fleuve Valley Residents' Union (UGOVF) was created in the Fleuve region in 1947 to defend the interests of the Fouta.

93. As far as Casamance is concerned, MFDC's origins can be traced to an exclusively regionalist movement. It was founded by two primary schoolteachers, one a Catholic Diola, Emile Badiane, the other a Muslim Peul, Ibou Diallo, with the support of more than 100 leaders from all ethnic groups throughout the region; moreover, it was founded in Sédhiou, in Moyenne Casamance, where the inhabitants are predominantly Mandingo.

94. Initially, MFDC was anxious primarily to free itself from the control of the French Section of Workers International (SFIO), a political party whose Senegalese branch had inherited the Jacobinic tradition of overcentralization.

95. When the Senegalese Democratic Bloc (BDS), a federal political party, was formed, MFDC joined it and became one of its regional branches. At the 1954 party congress in Ziguinchor, when BDS decided to abolish regional branches and introduce a system of individual applications for membership, one group of the people of Casamance broke away and, at the instigation of Djibril Sarr, formed the Casamance Autonomous Movement (MAC).

96. MAC demanded autonomy just as MFDC had done 10 years earlier in breaking with SFIO. Independence from BDS was the only concern of MAC's founders, who, it should be noted, were Casamance Wolof from the region (Djbril Sarr, and later Assane Seck).

97. MFDC , which had been founded in 1944, was finally absorbed within BDS. But it was revived by a Diola priest, Abbé Augustin Diamacoune Senghor on 26 December 1982. The armed wing of MFDC, known as "Atika" ("Fighter" in Diola), was formed in 1985. The question that arises is what are MFDC's objectives, and how does it justify them.

98. A map of a Diola republic was found among documents seized by the security forces from MFDC members in October 1990. The republic extends as far as Tanaf (Senegal) in the north and is bounded to the south by the river Cacheu (Guinea-Bissau), to the east by Gambia and to the west by the Atlantic Ocean. It therefore includes parts of Senegal, Gambia and Guinea-Bissau, and comprises six provinces: Combo in Gambia; Bignona, Ziguinchor, Oussouye and Dabo in Senegal; and Veréla in Guinea-Bissau.

99. The root causes of the "secession" date back to a statement made by Abbé Diamacoune Senghor at the Dakar Chamber of Commerce on Saturday 23 August 1980: "By what right did France include Casamance in Senegal at independence, without consulting those concerned? Casamance has nothing to do with Senegal historically, economically or ethnically. It was administered together with Senegal purely for reasons of convenience, but it was a protectorate".* Thus the ground was laid for what was to become the "Casamance problem".

100. However, in a document entitled "Note on the MFDC spokesman's questions concerning the territorial boundaries of Casamance during the colonial period", published on Saturday, 17 February 2001, the Casamance Leaders' Collective stated that confusion had arisen around the concepts of "protectorate", which supposedly described the status of Casamance, and "directly administered territory", which applied to the remainder of Senegal. According to the authors, a dual budget system had been instituted in the colony of Senegal in 1892. The notion of protectorate was also applied to the systems of budgeting procedure and budget management, which were different from those used in the directly administered territories. Ziguinchor, Carabane and Sédhiou, for example, all of them provinces of Casamance, were directly administered in budget terms under a decree of 16 June 1895.

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* J.R. de Benoist, "Pour une solution définitive du conflit en Casamance", Afrique contemporaine, No. 160, October-December 1981.

101. The budgeting procedure established in 1892 was later extended to the whole of Senegal by a decree dated 18 October 1904, but was finally discontinued by a decree dated 4 December 1920, which established Senegal's full municipalities and mixed municipalities.

102. The Casamance leaders' went on to discuss two periods:

(a) Pre-European: according to the Casamance leaders, there was no such political or administrative territorial entity as "Casamance"; Senegambian and Guinean territory was made up of kingdoms and/or villages organized along ethnic lines or linked by bonds of vassalage, alliance or mere proximity, and with names such as Joolof, Cayor, Sine, Gadam, Kasa, Gabou, Kantou, Patchona, etc.;

(b) Colonial period: the leaders point out that it was the first colonial settlers who asserted that Casamance was part of Senegal. In 1967, the Abbé de Marsy said of West African history, in the introduction to volume 12 of his L'histoire moderne pour servir de suite à l'ancienne de M. Rollin (p. 3): "Senegal and Nigritie lie to the north of Guinea, between latitudes 11° and 20°". In fact, a sizeable portion of what is now Guinea-Bissau lies between latitudes 11° and 20° north, since Guinea-Bissau's northern border lies at latitude 12° 20' and would thus form part of Senegal and Nigritie.

103. G. G. Beslier's Le Sénégal, published by Payot in 1935, includes the demographic maps of Father Boilat, which show the Mandingo, Diola, Wolof, etc. as peoples of Senegal.

104. Under a decree dated 1 August 1889, which gave colony status to the territories to the south of Portuguese Guinea, i.e. the colonies of French Guinea, Ivory Coast and Dahomey, Saloum, which corresponds to the modern administrative region of Kaolack, and Casamance, were retained as an integral part of the colony of Senegal.

105. The response of the Casamance Leaders' Collective to MFDC, part of which was published in the daily Le Soleil of 19 February 2001, leaves no room for doubt on the Casamance question. The argument that Casamance was a protectorate does not bear analysis; the same applies to the allegations or speculations concerning discrimination.

106. In the area of education, school statistics for the 1960s and 1970s show that, in terms of enrolment rates, Casamance moved up from third place in 1965 (31.2 per cent) to second place in 1976 (34.1 per cent). In the school year 1987/88, 309 (12.77 per cent) of Senegal's 2,420 primary schools were to be found in the Ziguinchor region, even though only 5.76 per cent of Senegal's population lived there.

107. In the area of health, Casamance was in fourth place in 1980 in terms of number of inhabitants per doctor, behind Cap-Vert, Fleuve and Eastern Senegal, but ahead of the Thiès region, which includes Senegal's second city and President Senghor's birthplace, and the Diourbel-Louga region, birthplace of the then Prime Minister, who later became President.

108. According to the latest Health Department statistics on the number of inhabitants per doctor, nurse and midwife, dating from 1991, the Ziguinchor region is in third place behind Dakar and Thiès, out of the country's 10 regions. Moreover, the lowest percentage of children with disabilities is to be found in Basse Casamance: 0.94 per cent of children under 14, as compared with 0.95 per cent for Dakar and 2.28 per cent for Louga. The reason for this is that public vaccination campaigns have been far more sustained in the Ziguinchor region.

109. In the area of regional development, major efforts have been made to open Casamance up to the other regions. Two major highways now provide access to the region: one is the Trans-Gambian highway, which crosses Gambia, and the other links Eastern Senegal and Casamance. There is a twice-weekly Dakar-Ziguinchor-Dakar boat connection. There is also at least one flight a day between Dakar and Ziguinchor. Ziguinchor is the only regional capital with such frequent air connections with Dakar, and major carriers from Europe arrive regularly at Cap-Skiring airport during the tourist season.

110. On the President's initiative, the current Government has set in motion a peace process, to which further impetus has been given by a meeting between members of the Government and MFDC leaders and an invitation by the Government to the various branches of MFDC to unite and negotiate with one voice.

111. In short, the Committee on the Elimination of Racial Discrimination will certainly agree with Senegal that the conflict in Casamance is not an ethnic conflict: there is no basic antagonism between the Diola and other ethnic groups. Even at the height of the crisis, there were no reports of any confrontation between the Diola and other ethnic groups, or even of any deterioration in normal human relations, either in Casamance or elsewhere in the country.

112. This was recently borne out by the results of the referendum held on 7 January 2001. The draft constitution submitted for the people's approval on that occasion, which proclaimed "the inviolable principle of the integrity of the national territory and national unity with respect for the specific cultural characteristics of all constituent groups of the nation", was approved by 95 per cent of the peoples of Basse Casamance, where the turnout for the referendum was 96 per cent. In other words, these predominantly Diola populations agree with the Senegalese leaders' position on Casamance, namely that the only way forward is to open the region up. The Government is anxious to implement this project in the near future.

113. To this end, at meetings of various regional development committees in Kolda and Ziguinchor, the Prime Minister announced a series of measures totalling hundreds of millions of francs to increase the economic capacity of Casamance, with the aim of linking Casamance's economy with that of the other regions of Senegal.

Conclusion

114. Senegal hereby solemnly renews its commitment to spare no effort to create a tolerant society on its territory and to participate in the international effort to combat all forms of discrimination.

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION

Sixteenth periodic reports of States parties due in 2001

Note by the Secretary-General

1. Sixteenth periodic reports under article 9, paragraph 1 (b), of the Convention are due in 2001 from seven States parties. The table below contains the list of the seven States parties in alphabetical order, the dates on which their sixteenth periodic reports are due, the symbol numbers of the documents containing their initial, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth periodic reports and the summary records of the meetings of the Committee at which such reports were considered.

2. The sixteenth periodic reports of the States parties listed below will be issued in addenda to this document.

States parties	Date on which sixteenth periodic report is due	Documents containing (1) initial, (2) second, (3) third, (4) fourth, (5) fifth, (6) sixth, (7) seventh, (8) eighth, (9) ninth, (10) tenth, (11) eleventh, (12) twelfth, (13) thirteenth, (14) fourteenth and (15) fifteenth periodic reports	Summary records
Bolovia	22 October 2001	(1) CERD/C/R.25/Add.2	CERD/C/SR.69
		(2) CERD/C/R.53/Add.7 and Add.8	CERD/C/SR.201, SR.233
		(3) CERD/C/R.78/Add.3	CERD/C/SR.270
		(4) CERD/C/R.100/Add.1	CERD/C/SR.368
		(5) CERD/C/107/Add.1 and Add.5	CERD/C/SR.658
		(6) CERD/C/107/Add.1 and Add.5	CERD/C/SR.658
		(7) CERD/C/107/Add.1 and Add.5	CERD/C/SR.658
		(8) CERD/C/281/Add.1	CERD/C/SR.1157, SR.1160
		(9) CERD/C/281/Add.1	CERD/C/SR.1157, SR.1160
		(10) CERD/C/281/Add.1	CERD/C/SR.1157, SR.1160
		(11) CERD/C/281/Add.1	CERD/C/SR.1157, SR.1160
		(12) CERD/C/281/Add.1	CERD/C/SR.1157, SR.1160
		(13) Not yet received	-
		(14) Not yet received	-
		(15) Not yet received	-
Canada	13 November 2001	(1) CERD/C/R.25/Add.5 and Corr.1 (English only)	CERD/C/SR.97-98
		(2) CERD/C/R.53/Add.6	CERD/C/SR.188
		(3) CERD/C/78/Add.6	CERD/C/SR.297-298
		(4) CERD/C/52	CERD/C/SR.425-426
		(5) CERD/C/50/Add.6 and Add.7	CERD/C/SR.522

States parties	Date on which sixteenth periodic report is due	Documents containing (1) initial, (2) second, (3) third, (4) fourth, (5) fifth, (6) sixth, (7) seventh, (8) eighth, (9) ninth, (10) tenth, (11) eleventh, (12) twelfth, (13) thirteenth, (14) fourteenth and (15) fifteenth periodic reports	Summary records
Canada (cont'd)	13 November 2001	(6) CERD/C/76/Add.6 and Add.7	CERD/C/SR.633-634
		(7) CERD/C/107/Add.8	CERD/C/SR.778, SR.781
		(8) CERD/C/132/Add.3	CERD/C/SR.778, SR.781
		(9) CERD/C/159/Add.3	CERD/C/SR.905-906
		(10) CERD/C/185/Add.3	CERD/C/SR.905-906
		(11) CERD/C/210/Add.2	CERD/C/SR.1043-1044
		(12) CERD/C/240/Add.1	CERD/C/SR.1043-1044
		(13) Not yet received	-
		(14) Not yet received	-
		(15) Not yet received	-
Finland	13 August 2001	(1) CERD/C/R.25/Add.3	CERD/C/SR.69
		(2) CERD/C/R.53/Add.2	CERD/C/SR.183
		(3) CERD/C/R.78/Add.4	CERD/C/SR.271
		(4) CERD/C/21	CERD/C/SR.369-370
		(5) CERD/C/50/Add.3	CERD/C/SR.467-468
		(6) CERD/C/76/Add.4	CERD/C/SR.585
		(7) CERD/C/107/Add.3	CERD/C/SR.687-688
		(8) CERD/C/132/Add.1	CERD/C/SR.757
		(9) CERD/C/159/Add.1	CERD/C/SR.866-867
		(10) CERD/C/185/Add.1	CERD/C/SR.866-867
		(11) CERD/C/240/Add.2	CERD/C/SR.1141-1142
		(12) CERD/C/240/Add.2	CERD/C/SR.1141-1142
		(13) CERD/C/320/Add.2	CERD/C/SR.1309-1310, 1326
		(14) CERD/C/320/Add.2	CERD/C/SR.1309-1310, 1326
		(15) CERD/C/363/Add.2	CERD/C/SR.1403-1404, 1414
Greece	18 July 2001	(1) CERD/C/R.25/Add.1 and Add.7	CERD/C/SR.68 and SR.107-109
		(2) CERD/C/R.53/Add.4	CERD/C/SR.184
		(3) CERD/C/R.78/Add.5	CERD/C/SR.270-271
		(4) CERD/C/41	CERD/C/SR.421-422

States parties	Date on which sixteenth periodic report is due	Documents containing (1) initial, (2) second, (3) third, (4) fourth, (5) fifth, (6) sixth, (7) seventh, (8) eighth, (9) ninth, (10) tenth, (11) eleventh, (12) twelfth, (13) thirteenth, (14) fourteenth and (15) fifteenth periodic reports		Summary records
Greece (cont'd)	18 July 2001	(5)	CERD/C/50/Add.2	CERD/C/SR.472
		(6)	CERD/C/76/Add.1	CERD/C/SR.576-577
		(7)	CERD/C/107/Add.7	CERD/C/SR.714-715
		(8)	CERD/C/210/Add.1	CERD/C/SR.940-941, SR.950
		(9)	CERD/C/210/Add.1	CERD/C/SR.940-941, SR.950
		(10)	CERD/C/210/Add.1	CERD/C/SR.940-941, SR.950
		(11)	CERD/C/210/Add.1	CERD/C/SR.940-941, SR.950
		(12)	CERD/C/363/Add.4	Pending consideration
		(13)	CERD/C/363/Add.4	Pending consideration
		(14)	CERD/C/363/Add.4	Pending consideration
		(15)	CERD/C/363/Add.4	Pending consideration
Iraq	13 February 2001	(1)	CERD/C/R.25	CERD/C/SR.68
		(2)	CERD/C/R.53/Add.1 and Corr.1	CERD/C/SR.182
		(3)	CERD/C/R.78/Add.1	CERD/C/SR.275
		(4)	CERD/C/50/Add.1	CERD/C/SR.458-459
		(5)	CERD/C/50/Add.1	CERD/C/SR.458-459
		(6)	CERD/C/76/Add.5	CERD/C/SR.631-632
		(7)	CERD/C/107/Add.2 and Add.6	CERD/C/SR.683
		(8)	CERD/C/132/Add.2	CERD/C/SR.765-767
		(9)	CERD/C/159/Add.2	CERD/C/SR.917, SR.920-922
		(10)	CERD/C/185/Add.2	CERD/C/SR.917, SR.920-922
		(11)	CERD/C/240/Add.3 and Corr.1 (Arabic only)	CERD/C/SR.1203-1204; 1230-1231
		(12)	CERD/C/240/Add.3 and Corr.1 (Arabic only)	CERD/C/SR.1203-1204; 1230-1231

States parties	Date on which sixteenth periodic report is due	Documents containing (1) initial, (2) second, (3) third, (4) fourth, (5) fifth, (6) sixth, (7) seventh, (8) eighth, (9) ninth, (10) tenth, (11) eleventh, (12) twelfth, (13) thirteenth, (14) fourteenth and (15) fifteenth periodic reports	Summary records
Iraq (cont'd)	13 February 2001	(13) CERD/C/281/Add.3	CERD/C/SR.1203-1204, 1230-1231
		(14) CERD/C/320/Add.3	CERD/C/SR.1344-1345, 1360
		(15) Not yet received	-
Norway	5 September 2001	(1) CERD/C/R.25/Add.4	CERD/C/SR.96-97
		(2) CERD/C/R.53/Add.5	CERD/C/SR.185
		(3) CERD/C/R.78/Add.7 and Add.9	CERD/C/SR.300 and SR.328-329
		(4) CERD/C/22	CERD/C/SR.372
		(5) CERD/C/50/Add.5	CERD/C/SR.470-471
		(6) CERD/C/76/Add.2	CERD/C/SR.565-566
		(7) CERD/C/107/Add.4	CERD/C/SR.688-689
		(8) CERD/C/132/Add.5	CERD/C/SR.836
		(9) CERD/C/159/Add.4	CERD/C/SR.836
		(10) CERD/C/210/Add.3	CERD/C/SR.1032-1033
		(11) CERD/C/210/Add.3	CERD/C/SR.1032-1033
		(12) CERD/C/281/Add.2	CERD/C/SR.1232-1233
		(13) CERD/C/281/Add.2	CERD/C/SR.1232-1233
		(14) CERD/C/320/Add.1	CERD/C/SR.1232-1233
		(15) CERD/C/363/Add.3	CERD/C/SR.1426-1427, 1434
Romania	15 October 2001	(1) CERD/C/R.25/Add.6	CERD/C/SR.106-109
		(2) CERD/C/R.53/Add.3	CERD/C/SR.183
		(3) CERD/C/R.78/Add.2 and Add.8	CERD/C/SR.295-296
		(4) CERD/C/42	CERD/C/SR.422
		(5) CERD/C/50/Add.4	CERD/C/SR.469-470
		(6) CERD/C/76/Add.3	CERD/C/SR.579-580
		(7) CERD/C/132/Add.4	CERD/C/SR.821
		(8) CERD/C/132/Add.4	CERD/C/SR.821
		(9) CERD/C/210/Add.4	CERD/C/SR.1090-1091

States parties	Date on which sixteenth periodic report is due	Documents containing (1) initial, (2) second, (3) third, (4) fourth, (5) fifth, (6) sixth, (7) seventh, (8) eighth, (9) ninth, (10) tenth, (11) eleventh, (12) twelfth, (13) thirteenth, (14) fourteenth and (15) fifteenth periodic reports	Summary records
Romania (cont'd)	15 October 2001	(10) CERD/C/210/Add.4	CERD/C/SR.1090-1091
		(11) CERD/C/210/Add.4	CERD/C/SR.1090-1091
		(12) CERD/C/363/Add.1	CERD/C/SR.1336-1337, 1360
		(13) CERD/C/363/Add.1	CERD/C/SR.1336-1337, 1360
		(14) CERD/C/363/Add.1	CERD/C/SR.1336-1337, 1360
		(15) CERD/C/363/Add.1	CERD/C/SR.1336-1337, 1360

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
Fifty-ninth session
Geneva 30 July-17 August 2001

PROVISIONAL AGENDA AND ANNOTATIONS

Note by the Secretary-General

1. The fifty-ninth session of the Committee on the Elimination of Racial Discrimination will be held at the United Nations Office in Geneva from 30 July to 17 August 2001. The first meeting of the session will be convened at 10 a.m. on Monday, 30 July. The last meeting will be convened at 3 p.m. on Friday, 17 August.

2. This document contains the provisional agenda for the session, prepared by the Secretary-General in consultation with the Chairman of the Committee in accordance with rule 6 of the rules of procedure, together with annotations relating thereto.

3. The attention of States parties is drawn, in particular, to the tentative timetable for the consideration of reports and further information submitted by States parties and for the consideration of States parties whose reports are seriously overdue pursuant to the review procedure.

4. In accordance with rule 64 of the rules of procedure, the representatives of the States parties are invited to be present at the meetings of the Committee when their reports are examined.

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PROVISIONAL AGENDA

1. Approval by the Committee of the experts appointed by two States parties to fill the vacancies resulting from the resignation of two members of the Committee.

2. Adoption of the agenda.

3. Organizational and other matters.

4. Prevention of racial discrimination, including early warning measures and urgent action procedures.

5. Consideration of reports, comments and information submitted by States parties under article 9 of the Convention.

6. Submission of reports by States parties under article 9, paragraph 1, of the Convention.

7. Action by the General Assembly at its fifty-fifth session:

(a) Annual report submitted by the Committee on the Elimination of Racial Discrimination under article 9, paragraph 2, of the Convention;

(b) Effective implementation of international instruments on human rights.

8. Consideration of communications under article 14 of the Convention.

9. Consideration of copies of petitions, copies of reports and other information relating to Trust and Non-Self-Governing Territories and to all other territories in which General Assembly resolution 1514 (XV) applies, in conformity with article 15 of the Convention.

10. Third Decade to Combat Racism and Racial Discrimination; Third World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

11. Report of the Committee to the General Assembly at its fifty-sixth session under article 9, paragraph 2, of the Convention.

ANNOTATIONS TO THE PROVISIONAL AGENDA

1. Approval by the Committee of the experts appointed by States parties to fill the two vacancies resulting from the resignation of two members of the Committee

In accordance with article 8, paragraph 5 (b) of the Convention and rule 13, paragraph 1 of the Committee's rules of procedure, the representative of the Secretary-General will submit to the Committee, for approval by secret ballot, the names of the experts appointed by Germany and Sweden, respectively, to fill the vacancies resulting from the resignation of Mr. Brun-Otto Bryde (Germany) and Mr. Peter Nobel (Sweden) from the Committee.

Upon approval the new members will make the following solemn declaration:

"I solemnly declare that I will perform my duties and exercise my powers as a member of the Committee on the Elimination of Racial Discrimination honourably, faithfully, impartially and conscientiously."

2. Adoption of the agenda

Under rule 8 of the rules of procedure, the first item on the provisional agenda of any session shall be the adoption of the agenda. In accordance with rule 9, the Committee may revise the agenda during a session and may, as appropriate, add, defer or delete items.

3. Organizational and other matters

Under this item, the Committee will consider its programme of work for the fifty-ninth session. It will also undertake a general debate on issues of interest to the Committee. The Secretariat will brief the Committee about the Plan of Action to strengthen the implementation of the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (2000-2004).

4. Prevention of racial discrimination, including early warning measures and urgent action procedures

The Committee decided at its forty-fifth session to establish this as one of its regular and principal agenda items. Within the framework of its efforts to prevent racial discrimination, the Committee may decide to take early warning measures aimed at preventing existing problems from escalating into conflicts; or it may decide to initiate urgent action procedures aimed at responding to problems requiring immediate attention to prevent or limit the scale or number of serious violations of the Convention. The Committee may also take action or further action regarding States parties already considered under this item.

The Committee may, at its discretion, schedule the consideration of the situation in some States parties at short notice.

5. Consideration of reports, comments and information submitted by States parties under article 9 of the Convention

At its fifty-ninth session, the Committee will consider initial and periodic reports received from the following States parties: China, Cyprus, Italy, Lithuania, Sri Lanka, Trinidad and Tobago, Ukraine, United States of America and Viet Nam. It will also undertake a review of the implementation of the Convention in the following States parties from which periodic reports are seriously overdue: Bolivia, Bosnia and Herzegovina, Hungary, Liberia, Mali, Uganda, United Republic of Tanzania, and Yemen.

In pursuance of established practice and in conformity with rule 64 of the rules of procedure, the Secretary-General has informed the States parties concerned of the tentative dates on which their reports are scheduled for consideration by the Committee. The scheduling of the Committee's consideration of reports submitted and review of the implementation of the Convention in the States parties whose reports are excessively overdue is set forth in the timetable below.

6. Submission of reports by States parties under article 9, paragraph 1, of the Convention

At its fifty-ninth session, the Committee will have before it a note by the Secretary-General concerning the status of submission of reports by States parties in accordance with article 9 of the Convention (CERD/C/411). Part A of that document indicates reports received from States parties and pending consideration by the Committee. Part B of the document contains information relating to overdue reports.

7. Action by the General Assembly at its fifty-fifth session

Following a request made by the Committee at its seventh session in 1973, this item is included yearly on the Committee's provisional agenda.

(a) Annual report submitted by the Committee on the Elimination of Racial Discrimination under article 9, paragraph 2, of the Convention

Pursuant to article 9, paragraph 2, of the Convention, the annual report of the Committee, covering its activities during the fifty-sixth and fifty-seventh sessions, was submitted to the General Assembly at its fifty-fifth session. The Committee will have before it the report and relevant summary records of the Third Committee, as well as relevant General Assembly resolutions.

(b) Effective implementation of international instruments on human rights

The Committee will have before it relevant General Assembly resolutions, as well as an advance version of the report on the 13th meeting of the chairpersons of human rights treaty bodies.

8. Consideration of communications under article 14 of the Convention

In accordance with the provisions of chapter XVIII of its rules of procedure, the Committee will consider under this item communications which are or appear to be submitted to it under article 14 of the Convention.

In accordance with rule 88 of the rules of procedure, the meetings of the Committee during which communications under article 14 of the Convention are examined shall be closed.

9. Consideration of copies of petitions, copies of reports and other information relating to Trust and Non-Self-Governing Territories and to all other territories in which General Assembly resolution 1514 (XV) applies, in conformity with article 15 of the Convention

Under this item, the Committee will have before it a note by the Secretary-General (CERD/C/393) concerning article 15 of the Convention and listing, as appropriate, copies of petitions, reports and working papers relating to the Trusteeship Council and the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

10. Third Decade to Combat Racism and Racial Discrimination; Third World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

At its 695th meeting (thirtieth session) in August 1984, the Committee decided to keep this item on its agenda and requested the Secretary-General to keep it informed of the relevant activities which would be undertaken in accordance with the Programme of Action for the Second Decade and subsequently the Programme of Action for the Third Decade.

The Committee has been discussing matters concerning its contribution to the World Conference since its fifty-third session in August 1998. The discussion will continue at the fifty-ninth session.

11. Report of the Committee to the General Assembly at its fifty-sixth session under article 9, paragraph 2, of the Convention

In accordance with article 9, paragraph 2, of the Convention the Committee is to submit, through the Secretary-General, an annual report to the General Assembly. The 2001 report to the Assembly at its fifty-sixth session will cover the activities of the Committee at its fifty-eighth and fifty-ninth sessions.

Tentative timetable for consideration of reports, comments and further information submitted by States parties and for consideration of States parties whose reports are seriously overdue pursuant to the review procedure

The following timetable has been drawn up by the Secretary-General, in consultation with the Chairman, taking into account the relevant decisions taken by the Committee at its fifty-eighth session.

Monday, 30 July 2001 (1466th meeting)

p.m.	Italy	Twelfth and thirteenth periodic reports due in 1999 and 2001, submitted in one document (CERD/C/406/Add.1)

Tuesday, 31 July 2001 (1467th and 1468th meetings)

a.m.	Italy	(continued)
p.m.	China	Eighth and ninth periodic reports due in 1997 and 1999, submitted in one document (CERD/C/357/Add.4, Part I and II)

Wednesday, 1 August 2001 (1469th and 1470th meetings)

a.m.	China	(continued)
p.m.	Trinidad and Tobago	Eleventh, twelfth, thirteenth and fourteenth periodic reports, due in 1994, 1996, 1998 and 2000, submitted in one document (CERD/C/382/Add.1)
	Liberia[1]	

Thursday, 2 August 2001 (1471st and 1472nd meetings)

a.m.	Trinidad and Tobago	(continued)
p.m.	Cyprus	Fifteenth and sixteenth periodic reports due in 1998 and 2000, submitted in one document (CERD/C/384/Add.4)

Friday, 3 August 2001 (1473rd and 1474th meetings)

a.m.	Cyprus	(continued)
p.m.	United States of America	Initial to third periodic reports, due in 1995, 1997 and 1999, submitted in one document (CERD/C/351/Add.1)

Monday, 6 August 2001 (1475th and 1476th meetings)

a.m.	United States of America	(continued)
p.m.	United States of America	(continued)

Tuesday, 7 August 2001 (1477th and 1478th meetings)

a.m.	Mali[1]	
p.m.	Sri Lanka	Seventh, eighth and ninth periodic reports, due in 1995, 1997 and 1999, submitted in one document (CERD/C/357/Add.3)
	Bolivia[1]	

Wednesday, 8 August 2001 (1479th and 1480th meetings)

a.m.	Sri Lanka	(continued)
p.m.	Viet Nam	Sixth, seventh, eighth and ninth periodic reports, due in 1993, 1995, 1997 and 1999, submitted in one document (CERD/C/357/Add.2)
	Hungary[1]	

Thursday, 9 August 2001 (1481st and 1482nd meetings)

a.m.	Viet Nam	(continued)
p.m.	Ukraine	Fifteenth and sixteenth periodic reports due in 1998 and 2000, submitted in one document (CERD/C/384/Add.2)

Friday, 10 August 2001 (1483rd and 1484th meetings)

a.m.	Ukraine	(continued)
p.m.	Lithuania	Initial report due in 2000 (CERD/C/369/Add.2)
	Uganda[1]	

Monday, 13 August 2001 (1485th meeting)

a.m. Lithuania (continued)

Yemen[1]

Tuesday, 14 August 2001 (1487th and 1488th meetings)

a.m. United Republic of Tanzania[1]

p.m. Bosnia and Herzegovina[1]

Note

[1] Review procedure (for States parties whose reports are seriously overdue).